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LEGISLATION EXTENDING CIVIL SERVICE RETIREMENT CREDIT

HEARING

BEFORE THE

SUBCOMMITTEE ON CIVIL SERVICE,
POST OFFICE, AND GENERAL SERVICES

OF THE

COMMITTEE ON GOVERNMENTAL
AFFAIRS

UNITED STATES SENATE

NINETY-NINTH CONGRESS

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SEPTEMBER 18, 1986

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LEGISLATION EXTENDING CIVIL SERVICE RETIREMENT CREDIT

THURSDAY, SEPTEMBER 18, 1986

U.S. Senate,
Subcommittee on Civil Service,
Post Office, and General Services,
Committee on Governmental Affairs,
Washington, DC.

The subcommittee met, pursuant to notice, at 10:55 a.m., in room SD–342, Dirksen Senate Office Building, Hon. Ted Stevens (chairman of the subcommittee) presiding.

Present: Senators Stevens and Durenberger.

OPENING STATEMENT OF SENATOR STEVENS

Senator Stevens. Good morning. I apologize for the delay. We have busy days around here. We are here to hear testimony concerning legislation to extend civil service retirement credit to certain groups of employees who do not now receive that credit. We are going to hear specific testimony on three bills: S. 2734, which I cosponsored along with Senator Mathias and Senator Sarbanes, to allow employees to receive civil service retirement credit for post-1935 Railroad Retirement Act service; S. 1800, sponsored by Senator Mathias, to allow employees of nonappropriated fund instrumentalities to make deposits into the civil service retirement fund and to receive credit for their nonappropriated service; and H.R. 3006, sponsored by Congressman Montgomery, to provide Federal retirement credit for employees who performed services as National Guard technicians prior to January 1, 1969.

We have a series of witnesses. I hope that you would all check in with the staff to make sure you are here: Mr. Morrison, Mr. Sturdivant, Mr. Snyder, Mr. Burghardt, Mr. Earley, Ms. Farr, and Mr. Cimmino.

The first witness is James Morrison, the Associate Director for Retirement and Insurance of OPM.

We are pleased to have you here. I might state for all of you, if you have prepared statements, I would appreciate it if you would present those portions of your statement that you believe are absolutely pertinent to our inquiry here today, and we will print all of the statements in full in the record, including a statement that Senator Mathias has asked to be placed in the record at this point.

[Senator Mathias' opening statement follows:]

OPENING STATEMENT OF SENATOR MATHIAS

Mr. Chairman, I want to thank you for holding this hearing today. As you well know, the problem that is the focus of this hearing is one that has been before both Houses of Congress for many years. It is essentially this: penalizing, in their retirement benefit levels, certain employees who have served their government in more than one capacity.

I am concerned about the inequity faced by employees who find themselves in this situation, and have sponsored legislation that will remedy this inequity. Each of the groups addressed in legislation before the Subcommittee—National Guard technicians, former Special Services employees of the Armed Forces paid from non-appropriated funds, and former railroad workers—are civil service employees who would like to credit their earlier government service toward their civil service retirement. Their claims for this credit have merit and I hope the committee will lead the way toward favorable Congressional action on these measures.

I would like to comment briefly on the two bills I have introduced. S. 1800, which deals with the former Special Services employees, has had several incarnation since it was introduced last year. In its most recent form, the scope of the bill has been considerably narrowed. However, the means to achieve our goal remain substantially the same. For example, it would allow former Special Services employees, now close to retirement, to credit their years with Special Services toward their civil service retirement. In order to qualify for this credit, however, employees must meet certain criteria. First, they must now be vested members of the Civil Service Retirement System. In addition, they may only credit non-appropriated fund service between June 19, 1952 (the date Congress enacted a statute which exempted Special Services employees from civil service laws, including retirement) and January 1, 1966 (the date the Department of the Army first established a retirement system for its non-appropriated fund personnel). Finally, eligible employees must make a redeposit plus interest to the Civil Service Retirement System for the applicable years.

S. 2734 would allow another group of federal employees to credit service under the Railroad Retirement system toward their civil service retirement. These workers, asked to join the federal service because of their experience in the railroad industry, are eligible for pensions under both the Railroad Retirement System and the Civil Service Retirement System. But because federal retirement systems are not portable, these employees are short-changed. The annuity income from railroad retirement and civil service retirement combined is significantly less than if all work had been covered continuously under either of the two systems. My bill would correct this anomalous situation.

Both groups are caught in circumstances over which they have no control. The Special Services employees were enticed by recruiting literature which advertised federal civil service careers. Application forms were the standard forms used by all applicants to the civil service. And, at times, they were even paid by appropriated funds. Similarly, those who worked for the railroad, and later were asked to work for the federal government, would not have left railroad service had they been aware of the negative effect on their retirement benefits. In each instance, the government bears some responsibility for the dilemma these people face. And although it may not be a dilemma of our making, I believe we have a responsibility to address it.

As with the first draft of any legislation, there is room for improvement, so I encourage those who testify today to offer their comments and suggestion with an eye toward improving these bills and their prospects for enactment.

Senator **STEVENS**. Good morning.

TESTIMONY OF JAMES W. MORRISON, JR., ASSOCIATE DIRECTOR FOR RETIREMENT AND INSURANCE, OFFICE OF PERSONNEL MANAGEMENT, ACCOMPANIED BY BRYCE BAKER

Mr. **MORRISON**. Good morning, Mr. Chairman. Thank you very much. It is always a pleasure to appear before you. This morning, I have with me Mr. Bryce Baker of my staff who is providing moral and technical support as we go through this.

In the interest of time and in response to the chairman's wishes I would like to ask that the full text of the statement [1] which has been provided the committee be entered into the record, as you say, and just simply summarize the administration's position by stating that overall, we believe that these bills are not justified.

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[1] See p. 37 for Mr. Morrison's prepared statement.

In summary, it is unreasonable and illogical for the Government in some cases to pay civil servants benefits based on some other employment for some other employer. As civil service employment is extended to different types of employment, it becomes increasingly difficult to exclude employment in other sectors from the system.

The administration believes that legislation such as these bills which would increase the unfunded liability of the retirement system is especially inappropriate at a time when the Federal Government is struggling with record deficits.

I appreciate the opportunity to appear today. I will be happy to answer any questions that you may have, sir.

Senator **STEVENS**. I understand your position, but have you really taken the time to try and define the number of people involved in each one of these categories?

Mr. **MORRISON**. We have made several attempts in that area. We have worked very closely with Mr. Meeker and some of the people with respect to the employees that would be affected by S. 2734.

There is some difficulty in finding the numbers and in zeroing in on that. Our fundamental objection, sir, is partially cost and the problems and additional unfunded liability or any additional liability would cause for the civil service retirement system, but also, we have the fundamental problem from an entitlement program perspective of extending retirement under the civil service system for periods of non-Federal employment, in the case of the railroad system.

The situation which creates the inequity of people getting two retirement benefits, the sum total of them being less than they would get if they were under either one, is analogous to a person leaving Ford and going to General Motors and getting two pensions, and the total of those is less than if he had stayed with Ford for the whole time or stayed at General Motors the whole time. That sort of situation is not uncommon in pension systems which reward tenure.

Senator **STEVENS**. Let's just look at the National Guard technician, for instance, now, Congressman Montgomery's bill. Those are people who served prior to January 1, 1969. If any of those people continue to serve after January 1969, as I understand it, they get credit for prior to 1969 service. We are dealing with the people only who did not serve after 1969 as National Guard technicians but continued to serve in the Federal Government and have civil service retirement eligibility in other functions.

That ought to be pretty easy to determine who is covered in that area, isn't it?

Mr. **MORRISON**. Yes, sir. We have a pretty good sense of the numbers of those people.

Senator **STEVENS**. I have been given an equity group service roster. It indicates the average year of technician services is 7.4. These are the people, as I understand it, that would not be given credit toward civil service retirement under the existing law, but they have eligibility after 1969 under the civil service retirement system in other functions.

I understand your statement as to some of the other two categories, and I want to get into that, but I don't understand it as to this one. I think that this is a closed circle. There is no one else that can come in. Obviously, you can't go back and get credit for something you didn't do. We ought to be able to prove whether they really had any service before January 1, 1969, and they are being treated differently if they went from the National Guard technician category to another category than they would if they had stayed a National Guard technician.

You agree, if they were National Guard technicians before January 1, 1969, and afterward, they now get credit afterward, and they can tack on their pre-1969 service? We are in agreement there, aren't we?

Mr. MORRISON. Yes, sir, and I also agree that it has the strange, illogical effect that if they went back for 1 day, they could also recoup their loss. So it is one of these situations that before 1969, that service was not deemed Federal service, and the arrangement was struck at that point, leaving out some people. I mean, there is always a cutoff date whenever you set anything up, so our problem is in changing the arrangement now.

Senator STEVENS. I understand that. But it is not changing it; it is making sure that it is fair, and the real problem is that I don't have any interest in going back and picking up people who, in the pre-1969 era, may have put in 30 years as National Guard technicians and now come in and say, "We ought to have that civil service retirement system." That is another category.

We are talking about people who, after 1969, continued to build up civil service retirement credits. They can't tack on the pre-1969, whereas they could have if they had stayed in the National Guard technician category.

That group is definable, small, and it is a great inequity. If we are in agreement as to what Congressman Montgomery's bill seeks to accomplish, I don't understand your position on that one. That one is not that expensive, and it is treating fairly all Federal employees with regard to pre-1969 technician service credit. I think that should have been done in the first instance, so we are just making up, trying to make that original act fair.

Have you costed that out? Do you know what it would cost?

Mr. MORRISON. It is a very small cost. But there is still a problem with protecting the integrity of the fund, which is my fundamental responsibility. It does pose the problem of service for which no contributions were made to the fund and for which no deposits were made to the fund.

Senator STEVENS. All right.

Mr. MORRISON. Perhaps some arrangement could be worked out there to somehow ameliorate the provision.

Senator STEVENS. I urge you to review that one, because I would hate to see the President veto that bill, because it is my recommendation to pass that one out, because I think that is just basic fairness for employees who continue to work for the Government in terms of equity for pre-1969 service.

Let's go to the nonappropriated fund employees. As I understand that one, that one says that the employee makes a contribution to the fund; then we are to have civil service credit, and I understand your opposition to that, because it strains the system. What if we changed that one to say the employee has to make the contribution, and if the employee does, then the nonappropriated fund has to make the employer contribution for the periods of coverage sought?

Mr. MORRISON. Well, from the perspective of the civil service retirement system, that would make it better.

Senator STEVENS. But it would still be a loss.

Mr. MORRISON. It would still be a loss.

Senator STEVENS. The loss is accumulated interest.

Mr. MORRISON. It is accumulated interest, and the fact that the agency share and the employee's share do not fund the benefit, as we know. Even with interest, there still have to be normal draws from the Treasury to make up the additional shortfall.

Senator STEVENS. I understand that this is to apply only to those people who went from nonappropriated service into civil service and would have eligibility under civil service without regard for the nonappropriated service, right?

Mr. MORRISON. Yes, sir.

Senator STEVENS. So, it is, again, a very narrow group.

Mr. MORRISON. It is a very narrow group.

SENATOR STEVENS. Have you determined how many is involved in that group?

Mr. MORRISON. The Department of Defense, which manages the nonappropriated fund instrumentalities, has had some difficulty trying to determine the numbers. I don't know if you have a witness from the Department of Defense today or not, but I have seen their statement that they cannot precisely identify the numbers.

Also, the question of the contribution from the nonappropriated fund instrumentality, I think, is an issue that I need to defer to the Department of Defense on as to whether they would approve.

Senator STEVENS. I understand that, but I think that is what my recommendation to them is going to be, that they are going to have to put in the employee contribution. The Federal Government was not the employer, and I don't see why the Federal Government now should be required to make the employee's contribution retroactive.

Incidentally, the nonappropriated fund has a substantial surplus, and they can build just one or two less officer's clubs for a couple of years. [Laughter.]

And we can take care of that. We will seek their advice on that, and then if they can give us some figures, we will refer that one to you again. Again, in my judgment, it would cover only those who have vested rights in the civil service retirement system for post-non-appropriated fund service. That is a very limited group. Senator Mathias thinks it is less than 200 people. I think it is probably a few more than that, but it is not very many.

The third bill, which I have cosponsored, is the Railroad Retirement Act problem. That one obviously is a different circumstance, but it also, as I understand it, would apply only to those who had 5 years or more of civilian service after having had credit under the

Railroad Retirement Act, who make a deposit to the fund equal of the amount required under current law as compared to what they contributed under the Railroad Retirement Act.

Under that system, since the Federal Government was, in fact, the guarantor of the Railroad Retirement Act at the time, what is wrong with that?

Mr. **Morrison**. Well, from the standpoint of civil service retiremen system, we would only be getting the difference into the fund of what they would have paid. I mean, they have already paid something, clearly, to the railroad retirement board, but none of that comes to the civil service retirement system, so there is quite a liability incurred by that kind of arrangement, sir.

Senator **Stevens**. What are the numbers involved in this? Again, it can't be very great. There aren't that many people who worked for the railroads and came into the Government and had 5 years service after railroad service.

Mr. **Morrison**. We have seen the number of 450 to 500 people which is, I think, the best guesstimate that we have gotten and the best numbers that we have been able to find.

Senator **Stevens**. How many of those were actually people who worked on the Alaska Railroad or the Panama Railroad, which were Federal railroads?

Mr. **Morrison**. The number I have seen on the Alaska Railroad sir, is 72 from one of the witness' statements. That may or may not be accurate. I don't have a number for Panama.

Senator **Stevens**. I saw an estimate that half of the people we are talking about were under the Railroad Retirement Act but working for Federal instrumentalities at the time. Have you checked that out?

Mr. **Morrison**. No, sir, the understanding that we have been given was different. The case was presented from a totally different perspective, not that they had worked for Federal instrumentalities, but they had been lured into Federal service, if you will, on the strength of their private sector expertise, which was a requirement for the Federal job. Then sometime after, they find the disparity in that the two retirement systems sum total is less than if they had stayed under the old system. The unique situation here is that the railroad retirement system is the only federally administered pension system for private sector people in the railroad industry.

So it seems like, or at one level, it looks as though it is just a question of portability between two Federal retirement plans, and I understand that argument, But from the viewpoint of the civil service system. We would be incurring, even for this number, considerable liability, which could run into the tens of millions of dollars, even for 500 people, if they boost their annuities, let's say $5,000 a year or so, as some of the literature that was sent to the members suggest.

That could result in a considerable drain on the retirement system. So getting the difference does not nearly compensate for the full amount of an employer's contributions plus the Treasury transfers that we need to keep the system solvent.

Senator **Stevens**. I don't think it should be such a difficult time to estimate the exposure of the civil service retirement fund to these three bills. One of them is totally di minimus, in my opinion. The other two may or may not have substantial exposure. I would assume the Railroad Retirment Act credit would have the largest exposure, and the nonappropriated fund, the second bill, maybe I am wrong, maybe they are backward, but we don't really know. We haven't got the facilities to put that together, but you all ought to be able to to that.

Mr. MORRISON. We will do some more work on trying to cost that, but I would like to suggest, sir, that our opposition is not totally the financial costs. We do have a principal involved here that railroad service was not Federal service in any case, and where it was not Federal service, it is, in our view, inappropriate to extend coverage for that period of time under the civil service retirement system.

Once we cross that threshold of extending coverage for non-Federal service, there are all sorts of occupations where private sector expertise is a condition for Federal employment or there has been some special relationship with the Federal Government, but it was not Federal service for which people are entitled to make retirement claims.

We have had the merchant marine people in World War II, the cadet nurses, serving their country for periods, but not actually Federal service, and for those periods of service, the administration has consistently resisted granting civil service retirement coverage. Once you cross that threshold for the railroad retirement situation, we are in a different area—quite different from the question of cost.

Senator STEVENS. It is under a different principle, because we are talking about people who were under one system managed by the Federal Government going under another system managed under the Federal Government and being enticed into the second system, and then finding out that their retirement is worse than if they had stayed with the first one.

The whole concept of portability is one we have been constantly working on, but here is a place where we are talking about portability of past earned credits under a federal system being equated to the system in which they have acquired the largest eligibility under a Federal plan.

I think you might find some way to limit it; in other words, require that there be so many years of eligibility under the civil service retirement system before you could credit it or something. But I do believe there is an area of fairness and portability in the railroad retirement system that is not presently in the other two.

Mr. MORRISON. There is a difference; yes, sir.

Senator STEVENS. It ought to be further explored. All right, well, we will be back to you with that one. I think that perhaps we can further define the scope of eligibility so it will be clear that the portability we are talking about is the portability of service to add on to substantial Federal service under the civil service system and see how that affects the cost.

Mr. MORRISON. OK.

Senator STEVENS. I understand you are not totally talking about cost, but deep down inside, that is what really bothers you. [Laughter.]

We thank you.

Do you have any questions, Senator?

Senator **Durenberger**. No, thank you, Mr. Chairman.

Senator **Stevens**. Thank you for your appearance, and your full statement will be printed, as I said.

Mr. Sturdivant?

It is my understanding since your last appearance here that you have received a new lease on your position and have been overwhelmingly re-elected. We watch elections, those of us who sit up here. [Laughter.] So our congratulations to you, happy to see you here.

Mr. **Sturdivant**. Thank you. Thank you, Mr. Chairman. That is correct. I was talking to your staffer, Mr. Schley. You know, we spent some time up in Alaska together, and I had talked to some of the AFGE members from Alaska, and they wanted to know when I was going to get back there. As I was telling some of the other candidate who were aspiring to AFGE national office, "If you are a serious candidate, then you will spend some time in Alaska, and you will spend some time the Alaska during the wintertime, not during the summer," which I did.

Senator **Stevens**. That is right, our best friends visit us in the wintertime. [Laughter.]

But the main reason we can follow them is they leave tracks in the wintertime. We are not sure where they are going in the summer. [Laughter.]

Mr. **Sturdivant**. The people from Alaska, along with many of the other AFGE members across the country, were very good to me and renewed my contract for 2 more years, and I am appreciative of it. I certainly wouldn't want to have to go back to work for the Federal Government. I don't think I would want to take any drug tests.

Senator **Stevens**. We will talk about that at another time. They wouldn't bother you, they wouldn't bother me, either. I understand you are accompanied by Mr. Meeker and Mr. Cox?

Mr. **Sturdivant**. Yes, sir. On my right is Mr. William Meeker, who is with the National Transportation Safety Board. He is also the legislative rep for local 3313, and on my right is Mr. Gene Cox. He is a transportation specialist from the Federal Railroad Administration, and he is also from AFGE Local 2814.

TESTIMONY OF JOHN STURDIVANT, EXECUTIVE VICE PRESIDENT, AMERICAN FEDERATION OF GOVERNMENT EMPLOYEES, ACCOMPANIED BY WILLIAM G. MEEKER, LEGISLATIVE DIRECTOR, LOCAL 3313, AFGE, AND GENE COX, MEMBER OF LOCAL 2814, AFGE

Mr. **Sturdivant**. I am John Sturdivant, executive vice president of the American Federation of Government Employees, which represents approximately 700,000 Government workers, including the class of approximately 500 employees who would be affected by S. 2734.

A number of employees of the Alaska railroad who are under civil service retirement would also be affected by this bill.

Mr. Chairman, AFGE members and all Federal employees appreciate the outstanding job you did on shepherding the Federal employees' retirement system through the legislative process into Public Law 99-335.

One of the commendable aspects of that law is the increased portability it provides for new employees. As you recognized, nonportability can restrict labor mobility and, in some cases, lead to real inequities. S. 2734 relates to one of the real inequities for a small group of employees created by the lack of portability between the railroad retirement system and the civil service retirement system.

We appreciate this opportunity to present our views on S. 2734, the Railroad Retirement Act, introduced by Senator Charles Mathias and Paul Sarbanes, and certainly, with your sponsorship.

The intent of this proposal is to provide service credit under the civil service retirement system for service performed by a few, select employees under the Railroad Retirement Act. The bill would provide a fair resolution of the inequitable situation which has occurred unintentionally or, perhaps more accurately, inadvertently.

At the core of this entire problem is the legislative history surrounding the creation of five Federal agencies. These agencies are the Interstate Commerce Commission, the Railroad Retirement Board, the National Mediation Board, the National Transportation Safety Board, and the Federal Railroad Administration.

The Federal Government employs a small number of individuals recruited from the railroad industry to utilize their special technical railroad knowledge to implement vital Government programs on railroad transportation. These employees have made contributions to two Federal retirement systems, railroad retirement and civil service, and payments to both systems are substantially equal. The contributions made to these two Federal retirement systems are deposited in the U.S. Treasury to remain available for eventual payment of earned retirement annuities.

However, at retirement, these employees receive a significantly smaller combined retirement annuity than they would have received had their entire service been under either system. S. 2734 would provide a remedy for this inadvertent inequity.

The Congress has long recognized the need to employ individuals in the Federal service who are highly knowledgeable in the construction, maintenance, repair, and operation of railroads. Since 1911, the authority to employ experts to promote the safe and adequate transportation of employees and travelers upon railroads was granted in serveral acts administered by the Interstate Commerce Commission and subsequently, the Department of Transportation's Federal Railroad Administration and National Transportation Safety Board.

Further, the National Mediation Board and the National Railroad Retirement Board have been authorized to employ experts from the rail industry in order to accomplish the missions assigned those agencies. Indeed, the Congress has always believed that the employment of persons with less ability than those capable and experienced employees would doom governmental railroad programs to mediocrity.

Within the entire Federal civil service system, there is now a small group of about 500 employees employed in five agencies, and I would question the projection that this would cost millions of dollars to resolve. It just seems to be far out of context.

Each of these employees have a uniform but singular background of work experience in the railroad industry and are now responsible for carrying out the multitude of railroad programs established by Congress.

Most of the employees in this group are employed as safety inspectors at the GS–12 grade level. When the need to recruit arises, the agencies must turn avidly to the railroad industry, the only source of personnel trained in these disciplines.

In reality, in every section of the country, the accomplishment of agency functions is vastly facilitated by reliance on staff not trained at Government expense. However, those who have embarked on a civil service career to contribute to the improvement of railroad transportation by bringing their unique rail knowledge into public service are unknowingly disadvantaged in their retirement years. While in the railroad industry, these employees contributed to railroad retirement.

Then in the Federal sector, they contribute to and, after 5 years, are vested in the civil service retirement systems. Employee contributions to both of these Federal retirement systems have been substantially the same over the years and amount to significantly more than required by private sector Social Security contributions.

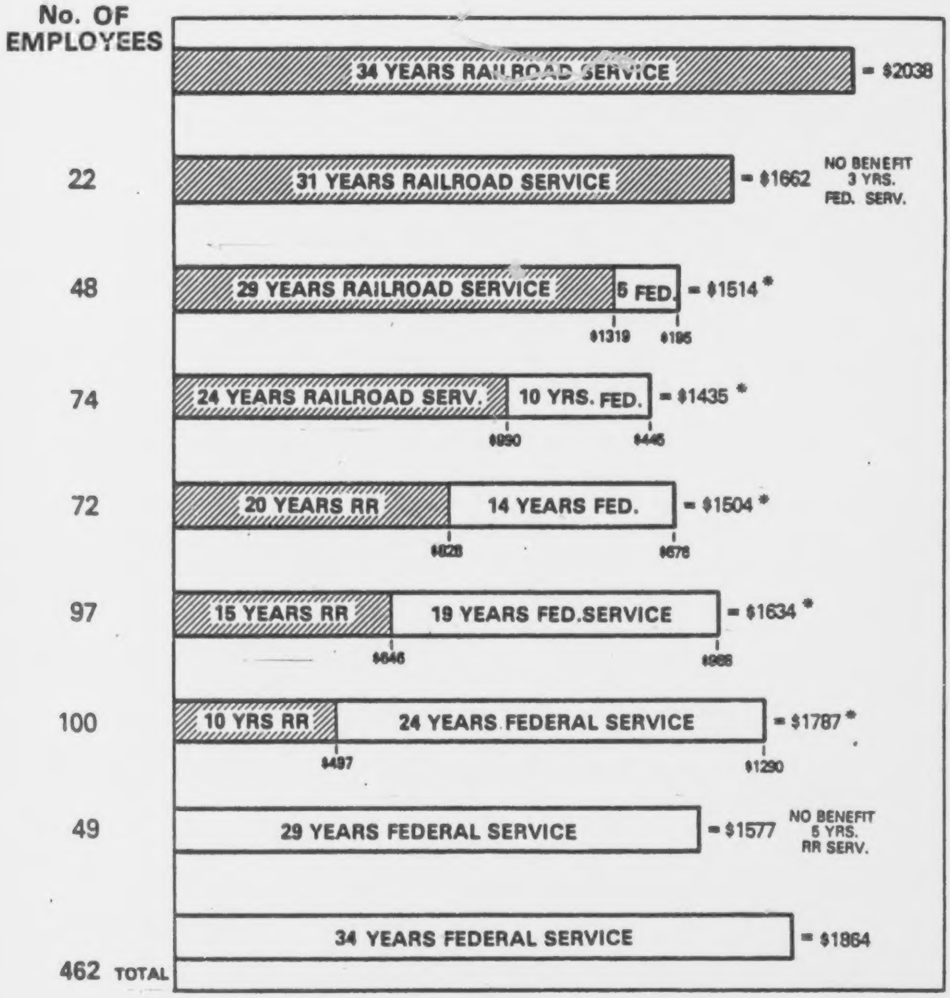
Since these employees subscribed in serial fashion to two Federal retirement programs having substantially equal contributions, these employees reasonably assume that benefits at retirement age would also be roughly equal.

However, the net impact is that employees are considerably less well off under the two component retirement systems than they would be with service either wholly under railroad retirement or entirely under the civil service retirement system.

We have a chart which shows and depicts the magnitude of loss inflicted upon these employees. I an not going to walk you through the morass of that chart. I would just say that we would like to submit that as part of our testimony.

[The chart referred to follows:]

EMPLOYEE, SERVICE, AND ANNUITY MIX



PROJECTED ANNUITIES FOR SELECTED COMBINATIONS OF RAILROAD AND FEDERAL SERVICE FOR A TYPICAL FEDERAL RAILROAD ADMINISTRATION (FRA) SAFETY INSPECTOR (GS-12) & SPOUSE AT AGE 62

* (DOES NOT INCLUDE ANNUITY REDUCTIONS INCORPORATED IN THE SOCIAL SECURITY ADMENDMENTS OF 1983)

Senator STEVENS. Did you cost it out?

Mr. STURDIVANT. We didn't cost it out completely, but the chart costs it out as to what the employees would get under the system.

Senator STEVENS. I know that, but you haven't costed out what you think the exposure to funds would be?

Mr. STURDIVANT. No, sir, not at this time but we can do some work on that.

Senator STEVENS. I will ask Mr. Snyder about that.

Mr. STURDIVANT. Yes, sir. Railroad retirement laws in effect when many of these individuals accepted Federal employment have since been substantially altered, and benefits would continue to erode under the amended laws. The well-intentioned efforts of Congress over the past several years to benefit railroad workers in their retirement years have inadvertently short-changed Federal employees who also have railroad retirement credit.

In addition, and this is something that was not anticipated, the 1983 Social Security Act Amendments compounded the harm to the employees having a vested interest in railroad retirement benefits. When those employees receive a civil service annuity, their tier I railroad retirement benefits are reduced.

This so-called windfall benefits penalty results in a significant loss of railroad retirement benefits and reduces the benefits for combined service even lower than depicted on the attached chart.

This is an event which could not have been anticipated by employees upon leaving railroad service. So I think that it kind of sticks a pin in the assertion of the administration that these people took these jobs knowing full well what the consequences would be. When they took those jobs, they did not know that they were going to get less than they were getting and certainly, they could not have anticipated what Congress was going to do in the Social Security Act amendments.

For things to have worked out this way does not seem to be what Congress had in mind. Many years ago, the ICC, FRA, NTSB, NMB, and RRB employees were cited in the Railroad Retirement Act with respect to maintaining eligibility for railroad retirement benefits.

As late as 1981, Congress provided a partial remedy for this inequity by adding section 231(b)(2) to the Railroad Retirement Act which specifically addresses the computation of tier 2 benefits for the employees of a department or agency named in section 231(o).

Still, the dedicated employees of these agencies are penalized considerably in their retirement years for their years of personal devotion to public service.

The focus here is on some 480 employees, between 480 and 500, spread throughout the five named agencies. The enactment of S. 2734 would correct the inequitable situation or requiring the Government to staff certain positions from persons with railroad expertise but penalizing those persons for leaving the railroad industry to accept Federal appointments.

Last, it is our view that enactment of S. 2734 will not impact upon the budget. First, the cost to the Government of a retirement program is not reflected until benefits are actually paid out, and if S. 2734 were enacted, the average difference in annuity would be approximately $100 per month to be paid at the time these employees retire.

Second, the contributions a typical employee in the group has made under both systems exceed the contributions that a similarly situated employee would if his entire career had been spent in Federal service.

For this reason, we would urge that the administrative nightmare of accounting for agency and employee contributions for each individual employee not be undertaken in the proposed legislation.

Congress has already established a special relationship for certain Federal employees under the Railroad Retirement Act. It is only fitting that this relationship assure comparative rewards for these employees and their families in their retirement years. These employees continue to apply in Federal service the experiences that made them successful in their railroad careers. In a real sense, both jobs demand the same qualifications.

Equality of retirement annuities would be achieved if service years in the railroad industy could be portable to an employee who is later covered under the civil service retirement program. Employees should have this choice, and we would urge that S. 2734 reflect this. It would remove the substantial inequities that exist today.

It is our privilege to appear before the subcommittee today and share our thoughts with you on this important problem. Certainly, equity demands that S. 2734 be given serious consideration, and we urge that every attempt be made to secure quick passage of this measure.

It is also my understanding that you are considering H.R. 3006. AFGE is also proud to represent over 7,000 National Guard technicians. We fully support the intent of this bill. Both my colleagues and I would be happy to try to answer any questions that you might have, Senator.

Senator **Stevens**. Are any of these people who have actually retired and are receiving benefits under the Railroad Retirement Act who subsequently were reemployed by the Federal Government? They are not in this category, are they?

Mr. **Meeker**. Would you repeat that, sir?

Senator **Stevens**. I said, are any of these people that you list, some 500 people as I understand it, are any of them people who retired and were receiving railroad retirement benefits and then went to work for the Federal Government as reemployed annuitants?

Mr. **Cox**. I might answer that questions, Mr. Chairman. No.

Senator **Stevens**. No. There is not.

Mr. **Cox**. There is none.

Mr. **Sturdivant**. I would like to make another point.

Senator **Stevens**. Do you have any information at all as to the exposure, the number of people that have such benefits, the Railroad Retirement Act benefits who are not currently employed by the Federal Government? What is the exposure on the number of those who are still of employable age who might come to work for the Federal Government? We have got 500 now who are working for the Federal Government. How many are out there who have these Railroad Act retirement benefits?

Mr. Cox. I think, Mr. Chairman, how I can best answer that is that this group of 458 people are carefully measured as employees. Those who may be hired in the future, and subsequent to January 1, 1984, are not involved in this kind of retirement system. They are taken, under another system. This only applies to this universe of 458 people. Each agency was polled very carefully to determine which are applicable to this particular adjustment.

Senator STEVENS. You have no problem, then, it the amendment would say that this will not apply to people hired after January 1, 1983, who are covered under the new system?

Mr. Cox. 1984, sir.

Senator STEVENS. 1984.

Mr. Cox. We wouldn't have any problem with that.

Senator STEVENS. 1984, all right.

Mr. Cox. No, sir, I would have no problem with that. Their employment is applicable in this circumstance.

Mr. MEEKER. Mr. Chairman, under Mr. Snyder's testimony that will follow, we have given the committee our best estimate of the employees by agency.

Senate STEVENS. I saw that.

Mr. MEEKER. Including the Alaska Railroad. That will be furnished to the committee.

Senator STEVENS. I saw that.

Mr. MEEKER. It was also furnished—Mr. Morrison at the Office of Personnel Management. That is the document he referred to earlier.

Senator STEVENS. I don't have any questions. I thank you very much and appreciate your appearance. We will put the statement in the record that you are going to give us on the other bill.

Mr. STURDIVANT. I am advised, Mr. Chairman, that when hearings for this particular bill were before the House, that the Office of Personnel Management was given that responsibility, to research that information, and I believe we did provide them the demographics to do that.

Senator STEVENS. Thank you very much. We appreciate your testimony. As I said, we will print your other statement, John, when we receive it.

Mr. STURDIVANT. Thank you, Mr. Chairman.

Senator STEVENS. Thank you.

Our next witness is Mr. Plourd and Mr. Beattie, presenting the testimony of Mr. James Snyder, the Legislative Committee of Railroad Labor Executives and legislative director of the UTU.

Senator STEVENS. We would be happy to have your statement. I will put the full statement in the record. I would appreciate it if you could summarize it so we can get to some questions about it.

TESTIMONY OF GENE PLOURD, UNITED TRANSPORTATION UNION, ACCOMPANIED BY DONALD BEATTIE REPRESENTING JAMES SNYDER,[1] LEGISLATIVE COMMITTEE OF RAILROAD LABOR EXECUTIVES AND LEGISLATIVE DIRECTOR OF UTU

Mr. PLOURD. All right, Mr. Chairman. The Senate bill S. 2734 will favorably affect approximately 450 active employees now participating in the civil service retirement system, but who, in the past, have contributed to the federally enacted railroad retirement system. Approximately one-sixth of this group are current employees of the Alaska Railroad, 72 in count. Congress has, in the Railroad Retirement Act of 1974, recognized the uniqueness of individuals in the employ of five Federal agencies, to include the Alaska Railroad and established a current connection with the railroad retirement system for their years of railroad service. Both the United Transportation Union and the Railroad Labor Executives Association have a strong and sincere interest in their future and welfare.

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[1] See p. 42 for Mr. Snyder's prepared statement with attachments.

Mr. Chairman, I am here this morning to joint with President Blaylock in support of Senate bill S. 2734, a bill to correct the inequities posed at retirement for this group of employees who were recruited from the Nation's railroads for their special expertise to implement vital Federal programs or to aid in the operation of the Alaska Railroad.

I have purposely avoided presenting a lengthy statement. Instead, I have submitted a briefing paper for the record. However, I do want to emphasize that each of these individuals will receive, upon retirement, one annuity from civil service and another from railroad retirement; together, the sum is considerably less than had they remained in railroad service. None were advised at recruitment of these negative impacts nor would the future legislative actions be foreseen. Each employee and spouse will be negatively rewarded, Mr. Chairman, unless bill S. 2734 is enacted into law.

The officers and members of the UTU and the RLEA believe that the Senate bill S. 2734 presents an excellent opportunity to eliminate the unfairness that exists today.

It is my privilege to appear here the day before the subcommittee in support of Senate bill S. 2734, a bill to establish equity for this finite group of employees, and I urge that every attempt be made toward quick passage.

That is my statement, Mr. Chairman. If you have any questions.

Senator **STEVENS**. I do thank you for all of the detail that you provided. Are there none that were in the Panama system?

Mr. **BEATTIE**. Sir?

Senator **STEVENS**. I don't notice any of these people being listed as having been in the Panama system. There was a federally operated railroad down there. I am surprised that there aren't some that are in this same category. They were given preference in employment when we turned that over to Panama.

Mr. **BEATTIE**. I am not aware of any members who have any current connection from the Panama Railroad system. It could be, but I don't know.

Senator **STEVENS**. The FRA makes up more than half of the people that are eligible. I note that many of them do not have a minimum 5 years of civil service.

Mr. **BEATTIE**. Some of them do not, that is true.

Senator **STEVENS**. We would have to change the system itself to make them eligible, wouldn't we?

Mr. **BEATTIE**. Combined service, of course, the two systems.

Senator **STEVENS**. They would not be eligible under the civil service system unless they had the 5 years.

Mr. **Beattie**. By themselves, that is right.

Senator **Stevens**. I didn't understand this bill to cover some of the people you have listed, is what I am saying. It was my understanding the bill required a minimum of 5 years civil service in order to tack on the Federal Railroad Act service. But a great number of the people that are on your list from FRA do not have a minimum 5 years.

Mr. **Beattie**. Would you let Mr. Meeker respond to that, please?

Mr. **Meeker**. It is true, sir, when you look at this chart, that there are some employees who do not have the 5 years minimum qualifying under civil service.

But in some of them, it is because they simply are newer employees in the civil service system. So you are absolutely correct that some of these may be so new that they would have fallen after the December 31, 1983, date, or January 1, 1984, date.

Senator **Stevens**. I am looking to the numbers. The numbers, as I look at your charts, are actually lower than your statement would imply.

Mr. **Meeker**. I would say that that is correct, sir.

Senator **Stevens**. All right. We will have to find out. I would like to find some way to find an accurate number.

Mr. **Meeker**. Let's take the second one under the Federal Railroad Administration, the very first chart on the Federal Railroad Administration, or pick one you like.

Senator **Stevens**. Any one of them. There is a series of them that are less than 5.

Mr. **Meeker**. The second employee under there, it says he has 13 years railroad retirement service and only 3 years civil service, and his date of birth is 1951. So you see, he simply has not been in the civil service system yet to achieve his 5 years, and we do not expect that all these people are going to retire today.

Senator **Stevens**. I don't expect that employee to stay in the civil service system.

Mr. **Meeker**. He will.

Senator **Stevens**. If he has got any brains, he will go to the new one. [Laughter.]

Under my definition, we are not going to tack it on to the new system, so I don't think that is a number that ought to be calculated into this cost. A lot of those people aren't going to stay. I don't care; take the one that has got 8 years in civil service.

Mr. **Meeker**. It is true, sir, that some may elect your option for the new retirement system. That is a true statement, and the number very well may be smaller than this.

Senator **Stevens**. In the provision of the bill we are talking about now, it would not make these eligible to tack on to the new system.

Mr. **Meeker**. Once this option is accepted, yes, for those who accept this or the option opted for in here, that is their retirement system; they retire as it is, for civil service only.

Senator **Stevens**. Right. All right. That is my understanding. Good. Just so we have an understanding of what we are talking about, because that prohibition against using the new system, in effect, would prevent them from converting if they wanted to tack on railroad retirement benefits. It wouldn't take too much time to run a computer check to see which one they would be better off with, and I understnd most of them are going to run it. Just so everybody understands. I don't think this Railroad Retirement Act credit ought to be tacked on to a noncontributory system. So, it is a different breed of cat if they convert to the new system.

Mr. **MEEKER**. You are in charge here, sir. We believe we are in agreement, sir. [Laughter.]

Senator **STEVENS**. We wouldn't be taking away the Railroad Retirement Act benefits, whatever they might be, but we would say they cannot tack that on to the new pension system which, by definition, is a noncontributory pension system based on Social Security, and at the third tier thrift plan, it doesn't fit the Railroad Retirement Act credit concept. You study it, and if you disagree, you give me another piece of paper, all right?

Mr. **MEEKER**. Yes, sir.

Senator **STEVENS**. Is that fair? Good. Thank you very much, gentlemen. Our best to Mr. Snyder. I appreciate it.

Mr. **PLOURD**. I certainly will.

Senator **STEVENS**. The next witness is Carl Burghardt, Director of Nonappropriated Fund Personnel Policy Office, who is going to tell me there isn't a surplus in the fund. [Laughter.]

Good morning.

Mr. **BURGHARDT**. Good morning, and thank you for removing those words from my mouth.

Senator **STEVENS**. Yes, sir.

Mr. **BURGHARDT**. Per your earlier request, I will submit a copy of my statement[1] for the record. However, I would like to highlight certain points from the statement.

Senator **STEVENS**. Yes, sir.

TESTIMONY OF CARL BURGHARDT, DIRECTOR, NONAPPROPRIATED FUND PERSONNEL POLICY OFFICE, DEPARTMENT OF DEFENSE

Mr. **BURGHARDT**. First, the Department of Defense defers to the Office of Personnel Management on the policy issues involved in the covering of nonappropriated fund employees under the civil service retirement system.

The Department of Defense is opposed to unknown unfunded liabilities that the bill would create for nonappropriated fund instrumentalities. The bill applies to nonappropriated fund personnel employed in certain programs and would credit service performed after June 1952, but only to the extent such service is not credited under a nonappropriated fund retirment system.

The basis of our opposition to the bill is founded in the retirement fund contribution required of the nonappropriated fund instrumentality which employed the individual. According to S. 1800, the nonappropriated fund instrumentalities of the respective military department would be required to make a deposit including interest, to the civil service retirement fund. The cost to each nonappropriated fund instrumentality cannot be determined unless the number of employees, their salary, and their years of service are know.

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[1] See p. 77.

Whatever the total salary per year is, the extra cost would be about 7 percent of that figure per employee per year of service. This will create an unfunded liability upon a nonappropriated fund instrumentality which may no longer exist or be unable to pay.

S. 1800 would recognize nonappropriate fund service which was between 20 and 34 years ago and which would involve service records that would be difficult, if not impossible in many cases, to recapture.

For these reasons, even the use of appropriated funds would not solve the Department's objections to the provisions of S. 1800.

Thank you, sir.

Senator **Stevens**. You do raise the Panama Canal problem.

Mr. **Burghardt**. Yes, sir. I also cite that when we did compute the cost, in the case of the Army alone, it costs $400,000 to $500,000 of appropriated funds to make up for the back payment.

Senator **Stevens**. I wasn't being facetious. It is my understanding there is a surplus in the nonappropriated funds, that they are consolidated now; is that correct?

Mr. **Burghardt**. The Army is attempting to consolidate some of their funds, yes, sir, but I am not saying that there is a surplus.

Senator **Stevens**. That is a plain statement. That is clear. We understand your position. We will just have to review it and take it into consideration. You didn't have any way to even estimate the total nonappropriated fund obligation under the bill, right?

Mr. **Burghardt**. No, sir, we have no way.

Senator **Stevens**. Thank you very much. Appreciate it.

Mr. **Burghardt**. Thank you, sir.

Senator **Stevens**. Mr. James Earley, representing former nonappropriated fund employees.

TESTIMONY OF JAMES EARLEY,[1] REPRESENTING FORMER NONAPPROPRIATED FUND EMPLOYEES, ACCOMPANIED BY PEGGY FARR, ELIZABETH STEVENS, AND SALLY ROBERTSON

Senator **Stevens**. Mr. Earley, you are accompanied by Peggy Farr, Elizabeth Stevens, and Sally Robertson.

Mr. **Earley**. That is correct, sir.

Senator **Stevens**. I beg your pardon. I didn't realize we had a whole crew. Thank you. We are happy to have you here. We would be happy to have your statement.

Mr. **Earley**. Thank you, sir. Mr. Chairman, I would like to thank you and the subcommittee on allowing me and our group of former nonappropriated fund employees to present testimony in support of Senate bill 1800. This bill will amend title V, U.S.C. 2105(c) to make possible civil service retirement credit for employees of the Armed Forces who were paid from nonappropriated funds and who worked between the years 1952 to 1966 in special services, a morale, welfare, and recreation program of the Armed Forces.

We feel that title V, U.S.C. 2105, enacted in 1952, erroneously included special services personnel, and that testimony presented when the legislation took place referred to the employees to be excluded from civil service benefits as employees of retail commercial operations and/or short-term employment.

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[1] See p. 81 for Mr. Earley's prepared statement with attachments.

It also included employees of other instrumentalities conducted for the comfort, pleasure, contentment and mental and physical improvement of personnel of the Armed Forces.

However, no testimony on record mentions professionally trained recreation directors or professionally trained librarians. The 1952 law was extended far beyond the commercial retail business short-term employee operations of military exchanges and included long-term professional members of special services who were not connected in any way with the commercial exchange operations on military posts.

When the 1952 law was passed, Department of Defense told Congress it intended to establish a personnel system for nonappropriated fund employees. However, it did not establish a retirement system for special services nonappropriated employees until 1966, 14 years later.

During the midfifties, and through the 1960's, the military advertised in several national magazines and other media offering careers with the Armed Forces in special services programs. These advertisements gave the appearance of recruiting for civil service positions since the general schedule was quoted for salaries, the qualifications called for college graduates, and in some instances, master's degrees, and the standard form for civil service applications was specified. Many of these advertisements made no mention of nonappropriated funds.

Many of these jobs, which were advertised, were actually for appropriated funds, however, many were for positions paid through nonappropriated funds. There was no way of knowing, when applying, whether the position would be in the civil service or whether it would be one paid from nonappropriated funds with no civil service benefits.

The Office of Personnel Management requires three criteria to civil service credits: Federal appointment, Federal supervision, and the performance of Federal functions. The Comptroller General has ruled that we meet these criteria. The people who were in the nonappropriated fund positions had the same job duties and the same pay scale and the same lead privileges as the personnel who were paid from appropriated funds. Many records show GS as the pay scale. In many cases, the personnel action forms used for nonappropriated fund employees were the same ones as were used for appropriated fund employees.

On one hand, the nonappropriated fund employees have been treated as private employees as far as retirement goes, and on the other hand, when serving overseas in accordance with the status of forces agreements with foreign countries, they were considered Federal employees and were not exempt from paying Federal income tax, as many times are privately employed American nationals working overseas. Many of the people who accepted nonappropriated fund positions at special services did not know at the time of appointment that they were not full-fledged civil service employees. Much confusion existed on the nonappropriated fund employment.

The 1952 law was a little known law and was not routinely explained to nonappropriated fund employees. During the 1950's and the 1960's, personnel in special service, especially overseas, were transferred indiscriminantly between appropriated and nonappropriated fund positions, depending mainly on the availability of funds, with little or no regard on the part of management for the careers of the employees concerned. At the same time, the military services received the same high quality of work and dedication from both groups of employees.

Over the years, we have sought relief from the 1952 law, but without success, largely because we are an invisible and an unorganizable group spread throughout the Government and around the world with the Armed Forces. I do not believe Senate bill 1800 would cause a huge financial burden on the Department of Defense if enacted, because the number of people who would be affected is very small, we think approximately 200 to 300 people, and also, anyone who would benefit from the bill would most likely be required to pay into the retirement fund. Since the 1952 law, as written, excludes us from ever claiming credit for nonappropriated fund services and since there was no retirement system established for nonappropriated fund special services employees until 1966, I believe the law should be changed and that we should be allowed to claim our nonappropriated fund years for civil service retirement.

Mr. Chairman, this concludes my testimony. I thank you and Senator Mathias for the opportunity of being able to provide this information. I also thank the members of your staff who have provided very fine assistance. I will be happy to answer questions, sir.

Senator STEVENS. Do you have a statement, Ms. Farr?

Ms. FARR. Yes, I do.

Senator STEVENS. I would be happy to have it.

Ms. FARR. Thank you, sir. Mr. Chairman, thank you for the opportunity to present testimony concerning Senate bill 1800, a bill to amend title V of the United States Code to provide civil service retirement credit for certain employees and former employees of nonappropriated fund instrumentalities under the jurisdiction of the Armed Forces and for other purposes.

The special services program dates from World War I and came into full measure during World War II, providing leisure activities for active duty military personnel, both the home and abroad. These special services included: Service clubs, libraries, arts and crafts, music and theater, and schools. The programs were staffed, with the exception of sports, primarily with women. Department of the Army advertised in women's magazines and other media careers for single girls. The qualifications were to be at least 23 years of age, to have a degree from an accredited university or college, and in some instances, a master's degree in various specialized areas of the program.

From the inception of special services, it was funded by appropriated funds and supplemented by nonappropriated funds. Nonappropriated fund were generated then as they are today, by profits obtained from AFFE's and fees charged for special activities in the various recreation programs. The Office of Personnel Management and its predecessor, the Civil Service Commission, has maintained over the years that Federal service qualifying an employee for civil service status required: One, Federal appointment; two, Federal supervision, and three, performance of Federal functions. All three criteria were met by special services employees.

The standard form 50 was used for appointment, with it being annotated that the employee would be paid from nonappropriated funds. Supervision and the performance standards of Federal functions were synonymous regardless of the employee being paid from appropriated or nonappropriated funds.

Identical tasks were performed and governed by the same civil service and Army regulations. The pay scale for appropriated and nonappropriated funds personnel was the same schedule. Identification cards and passports were stamped "on official duty for the Department of the Army." As the Department of the Army civilians working overseas, we paid income tax, as did other federal employees.

We were identified as Federal employees governed by the Status of Forces Agreement and committed to adhering to the applicable regulations pertaining to the code conduct of Federal employees and were aware of being recognized as professional recreators, working for the Army and having the privilege of representing ourselves, the Army and our country at home and abroad. We were not contract employees.

The effort made by Congress in the 1952 amendment to the civil service law barred special service employees paid from nonappropriated fund credit toward civil service retirement. This come about indirectly and apparently without consideration of the rights and interests of these employees.

There was a difference of opinion between Department of Defense and the Civil Service Commission reference as to the status of nonappropriated fund employees of the Post Exchange and other commercial activities. The professional career special services employees were not identified in the legislation, nor were they considered.

A Supreme Court decision required these commercially oriented exchange employees to be considered as having Federal status. These factors led the Department to submit a bill to Congress to clarify the status of Post Exchange employees. The Civil Service Commission went along with this. The significance of Federal status, the potential legal ramifications of being paid from nonappropriated rather than appropriated funds, and the lack of retirement credit decisions were made at the highest levels of the Department of Defense and were not generally understood at the working levels of special services.

Critical questions were not explained, despite the severe impact that this could have on our careers in later years. We were a changing group, scattered at military installations around the world, and we were indistinguishable from the fellow service employees who were paid from appropriated funds who, therefore, were not a party to our problem. The legislation extended the impact far bayond the commercial type, short-term operation of military exchanges. This all-inclusive phrase has been interpreted to cover the career long-term professionally oriented members of special services that were not connected in any way with the exchange-type commercial functions of the military.

Neither the House nor the Senate reports on the legislation make any reference to special service personnel. The Department of Defense assured Congress that the purpose of their bill was to clarify the status of nonappropriated fund employees and would not take away any existing rights, nor would it add existing rights or privileges upon such employees.

This was not true regarding special services employees. The statute preempted our right to have our status determined in substantive terms on the merit of our position. We believe that had the House and the Senate committees been advised that the small number of special services employees in the Department of Defense were paid from nonappropriated funds, that they would have thought it unthinkable to ignore our problem or issue.

The Department of Defense drafted Senate 1828. It was submitted, introduced and enacted as 5 U.S.C. 2105. The Department of Defense simply overlooked telling Congress about us.

Having deprived us as civil service retirement, the Department of Defense waited 14 years before providing any retirement plan for special services nonappropriated fund employees, a plan that was not made retroactive and does not benefit the prior employees in any way. Meanwhile, Congress has extended civil service retirement credit to a number of other groups, and they are listed in the information that has been turned in, so I will not go through and elaborate on those issues.

We don't know how many people are precisely known at this point, but in the survey which was conducted in 1977, we know that there is approximately 350 present federal employees that would benefit, were they given credit for their nonappropriated tenure. The Office of Personnel Management takes the position that the civil service retirement fund be compensated by employers when other groups are added to the retirement list. In the cases listed above, meaning those which are in the record, it is our understanding that Congress has not allowed any set policy regarding employer contributions. In our case, the Defense Department could easily arrange for such a contribution, should you decide upon this course of action.

We would like to take the opportunity to thank Debbie Bisceglia, Ali Myer, and Margaret Symms for their outstanding support in our cause, and we want to take the opportunity to thank you, Senator Stevens, for allowing us to having this hearing.

Senator STEVENS. Thank you very much. Ms. Robertson and Ms. Stevens, do you have statement?

Ms. ROBERTSON. No, sir.

Ms. STEVENS. No, sir.

Senator STEVENS. Ms. Farr, were your people covered by Social Security? Did they make Social Security contributions when they were overseas?

Ms. FARR. Yes, we did.

Senator STEVENS. If you had been in civil service, you would have made civil service contributions and not Social Security.

Ms. FARR. That is right.

Senator STEVENS. We have got a lot of nonappropriated fund employees that are in the United States. You both have talked primarily about overseas concepts, but a lot of them are in the United States. Do you differentiate in terms of the coverage that you seek with regard to those people?

Mr. EARLEY. No, sir.

Ms. FARR. No.

Mr. EARLEY. Many of the people have worked in the States only. Many of the people worked overseas, also. They have worked both places, sir.

Senator STEVENS. My experience has been that the majority of the people I have known that have worked in the nonappropriated fund activities, and I have got to say, they were in the post exchange services and some of the on-base day care center concepts, were spouses of military people that were assigned at those bases. I think we are fairly astute about the fact that nonappropriated funds were not civil service jobs.

You make an assertion, and I see these ads, and they are very interesting ads, ladies, that the special services concept was represented as being civil service grade levels. That is a different assertion than saying that people who were nonappropriated fund employees thought they were civil service. How do we differentiate between the young woman who is a wife of a serviceman stationed at Fort Wainwright, AK, who works in the post exchange or in the commissary and knows full well she is not civil service from someone who answered an ad here who thought she was civil service?

Ms. FARR. The qualifications vary, sir. You have to have a degree to be in special services, and the standards requirement vary from being a post exchange employee.

Senator STEVENS. You are making a case for the special services people only, Ms. Farr; is that right?

Ms. FARR. That is right, yes, sir.

Senator STEVENS. And you are making the case for nonappropriated fund employees generally?

Mr. EARLEY. Well, anybody who would qualify under the bill, sir. I think it would be mainly special services people.

Ms. FARR. Only special services.

Senator STEVENS. I didn't interpret the bill as drawing that fine line. I think that is a fine line you are drawing in terms of people who are employees.

Senator STEVENS. You would seek to limit these employees' coverage only to those involved in the recreational activities; is that right?

Mr. EARLEY. Yes, sir.

Ms. FARR. Yes, sir.

Ms. STEVENS. Mr. Chairman?

Senator STEVENS. Ms. Stevens?

Ms. STEVENS. The bill that we want for the special services personnel, the reason we narrow it down to that is that our grade said GS service, and I don't believe the commisary and the PX and the larger portion of the NAFEE made that distinction. But all along, we felt that we were regular Government service GS workers, Government schedule.

Ms. Robertson. Mr. Chairman?

Senator **Stevens**. Yes, ma'am.

Ms. **Robertson**. I would like to point out also that in terms of PX and commissary-type short-term retail people, who are short-term employees, subject to being hired and fired depending on the population, special service employees were career professional employees. They, as we have said, had to be aged 23 before they could be appointed to the special service position; they had to have a degree that was compatible with each of the divisions, whether it be crafts, library services, entertainment, and they must have worked for at least 2 years in another position before ever going to special services, so they made careers in special services and outside at other Government agencies as the years went on.

Senator **Stevens**. How did you get the numbers? You said 450. How did you get that estimate?

Ms. **Farr**. Approximately 350. There was a survey conducted in 1977 just to get a general feeling as to how many people this would really pertain to, and that was in 1977.

Senator **Stevens**. By definition, then, none of the people could have come into this category after 1977; is that right?

Ms. **Farr**. No.

Ms. **Robertson**. Sir? Mr. Chairman, I would like to say that it is from 1952 to 1966 there was no coverage for these people. The people we are talking about only worked through 1952 to 1966, and if they were still working with the special services after that, they would have gone on the nonappropriated retirement system.

But under this period, there was nothing for us, which we found, many of us found out later when we came back to the States.

Senator **Stevens**. Then it is not 1977, it is 1966. You are seeking coverage only for 1952 through 1966?

Ms. **Robertson**. Yes, sir.

Senator **Stevens**. And for those people who went on and continued service later?

Ms. **Robertson**. With the Federal Government, either in special services or Federal careers. Many people have moved.

Senator **Stevens**. How long did they have to continue in order to get that? You would have to have 5 years under either system.

Ms. **Robertson**. Yes, sir.

Senator **Stevens**. You understand that?

Ms. **Robertson**. Yes, sir, we do.

Senator **Stevens**. Well, you make a good case, I think, and I will take it up with our colleagues. I appreciate your courtesy in coming. We have one more witness. Thank you all very much.

Ms. **Farr**. Thank you, sir.

Senator **Stevens**. Mr. Cimmino.

Mr. **Cimmino**. Mr. Chairman, we appreciate the opportunity of being asked to testify on H.R. 3006. I have with me two members that are with our volunteer steering committee. On my right is Mr. Robert Shuck, and on my left, Mr. Melvin Bruce. We have submitted a formal statement [1] for the record.

Senator **Stevens**. We have that, and we have the exhibits that acompany it, and we are pleased to have that.

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[1] See p. 89.

Mr. CIMMINO. I have some remarks I was going to give, but in view of your request and your very clear understanding of the issues involved with your permission, sir, I would merley like to submit this for the record and to make a couple of points and answer any questions you might have.

Senator STEVENS. All right. We will print it all in the record.

TESTIMONY OF JOSEPH A. CIMMINO, CHAIRMAN, EQUITY FOR FORMER GUARD TECHNICIANS, ACCOMPANIED BY ROBERT SHUCK AND MELVIN BRUCE

Mr. CIMMINO. Yes, sir. The two items I would like to point out simply are exhibit A in the packet.[1] The exhibit we presented, I think, clarifies one of the key issues that has been central to the whole matter of National Guard technician service, and that is the status of these people prior to 1969.

Exhibit A, if you will note, is a letter addressed to one of our members from the state of California retirement system. That letter clearly states that during his employment as a National Guard technician, he was considered to be a Federal employee and was paid out of Federal funds.

It is interesting to note that the name in the upper right-hand corner is our current President of the United States, then serving as Governor of the State of California. A member of that retirement board was our current Secretary of Defense, Mr. Caspar Weinberger. I make the point that the central issue involved was the matter of status, and we maintain that prior to 1969, many, many State considered us to be Federal employees.

The other point I would like to make, is that looking at the record of this legislation, which goes back to the National Guard Technicians Act of 1968, the key reason that former guard technicians were omitted, both in the original act and in the amendments of 1975, was a lack of data concerning the number of personnel involved and what the costs would be.

Our group, over the last 2 years has collected this information in detail, has presented it at the House hearings, and it is part of the data that we have submitted today.

Senator STEVENS. Why don't we have a better cost estimate if you have got this much detail?

Mr. CIMMINO. Say again, sir?

Senator STEVENS. Why don't we have a better cost estimate if we have got this much detail,

Mr. CIMMINO. I thought we had submitted a rather detailed cost estimate, sir, broken down year-by-year, an average of 7.4 years of service with an average salary that we have computed by statistical analysis. We used actuarial figures from the National Center on Health Statistics.

Senator STEVENS. It was my understanding that the OPM didn't agree with that on the basis that it was an estimate of salary rather than an actual indication of salary. We are dealing with how many people?

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[1] The exhibit referred to follow Mr. Commino's prepared statement and start on p. 102.

Mr. CIMMINO. We are dealing with approximately 350 to 400, total. The Congressional Budget Office, in their letter to the House when the House had hearings, gave detailed figures, as well. I think those are a part of the record.

Senator STEVENS. I haven't seen that.

Mr. CIMMINO. That is in the record, sir, of that hearing.

Senator STEVENS. I will take a look at that.

Mr. CIMMINO. It is a letter from the Congressional Budget Office that would be dated approximately March, early March of this year.

Senator STEVENS. They are estimating a 6-year cost of about $2 million, as I understand it.

Mr. CIMMINO. May I ask Mr. Bruce to comment? He has done the research on this and prepared the figures, Mr. Chairman.

Senator STEVENS. Yes, sir.

Mr. BRUCE. Yes. I assume that the CBO would have used the actual appropriation figure in their assumptions. We have calculated it two ways: One is the actual, the top line, the additional annuity that would be allowable for this particular service.

Senator STEVENS. The figures we are looking for is what is going to be the increase in the unfunded liability in the civil service retirement system, if we pass your bill. Have you got that?

Mr. BRUCE. We have 15-year cost figures that could be used to compute that.

Senator STEVENS. We have got a substantial unfunded liability problem. This is not going to exacerbate that much. It is a substantial problem in and of itself, but I think one of the questions that people are going to ask us is what is the total obligation that we are imposing on the civil service retirement fund. We are going to have to find out.

I will check the CBO and see if they come close to that.

Mr. BRUCE. The figures, for example, that we have show during the first year of implementation it would cost about, depending upon whether or not pay-in is required, because of course if pay-in is being required, then there would be an offset of the pay-in but assuming that, say, 50 percent are making the pay-in on the average, the first year cost would be about $428,000; second-year cost, I am talking about actual pay-out out of the fund, $675,000; third year costs, $922,000; the fourth, $1,156,000; the fifth year, $1,372,000.

Senator STEVENS. That doesn't include deceased or retired employees, does it?

Mr. BRUCE. Yes, sir. That includes all the employees.

Senator STEVENS. It does?

Mr. BRUCE. All 370-odd that we have specifically identified as being eligible under this. It would include survivor annuitants, as well.

Senator STEVENS. All right. I will study that, and we will confer with Congressman Montgomery. He has got it in another bill, you understand. I understand that, too. I am sure you understand that, too. It is in the DOD authorization bill. There is no use two of us tilting at the same windmill. We have to figure out where to push it. I will talk to him, and the staff will be back in touch with you on that. We appreciate your courtesy. Your statement will be printed in full in the record, as I said.

Mr. **Cimmino**. Thank you, sir.

Senator **Stevens**. Thank you very much.

Mr. **Cimmino**. Thank you for your time.

Senator **Stevens**. The subcommittee will now recess.

[Whereupon, at 12:20 p.m., the subcommittee was recessed, subject to the call of the Chair.]

ADDITIONAL MATERIAL SUBMITTED FOR THE RECORD

II

99TH CONGRESS
1ST SESSION

S. 1800

To amend title 5, United States Code, to provide Civil Service retirement credit for certain employees and former employees of nonappropriated fund instrumentalities under the jurisdiction of the Armed Forces, and for other purposes.

IN THE SENATE OF THE UNITED STATES

OCTOBER 29 (legislative day, OCTOBER 28), 1985

Mr. MATHIAS introduced the following bill; which was read twice and referred to the Committee on Governmental Affairs

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A BILL

To amend title 5, United States Code, to provide Civil Service retirement credit for certain employees and former employees of nonappropriated fund instrumentalities under the jurisdiction of the Armed Forces, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Nonappropriated Fund Instrumentalities Employees' Civil Service Retirement Credit Act of 1985".

SEC. 2. (a) Section 2105(c)(1) of title 5, United States Code, is amended by inserting ", subchapter III of chapter

83 to the extent provided in section 8332(b)(15)," after "chapter 53".

(b) Section 8332(b) of such title is amended—

(1) by striking out "and" at the end of paragraph (12);

(2) by striking out the period at the end of the first paragraph (13) and inserting in lieu thereof a semicolon;

(3) by redesignating the second paragraph (13) as paragraph (14) and striking out the period at the end of that paragraph and inserting in lieu thereof "; and";

(4) by adding after paragraph (14), as so redesignated, the following new paragraph:

"(15) service performed after June 18, 1952, as an employee described in section 2105(c) of this title if such service involved conducting an arts and crafts, drama, music, library, service club, youth activities, sports, or recreation program (including any outdoor recreation program) for personnel of the armed forces; but credit shall be allowed for such service only to the extent that such service is not taken into account in computing benefits under a retirement system for employees of the nonappropriated fund instrumentality.";

(5) by striking out "(13)" in the third sentence and inserting in lieu thereof "(14)"; and

(6) by adding at the end thereof the following: "The Office of Personnel Management shall accept, for the purposes of this subchapter, the certification of the Secretary of a military department named in section 102 of this title or his designee concerning service of the type described in paragraph (15) of this subsection which was performed for a nonappropriated fund instrumentality under the jurisdiction of such Secretary. This certification may be based on evidence which is furnished by the person claiming credit for such service for the purposes of this subchapter and is considered sufficient by such Secretary or designee.".

(c) Section 8334 of such title is amended by adding at the end thereof the following new subsection:

"(k) Each nonappropriated fund instrumentality of the United States referred to or described in section 2105(c) of this title that employed an individual who receives credit under this subchapter for service described in section 8332(b)(15) of this title shall pay to the Fund an amount equal to the amount that would have been deducted from the pay of the individual if such service had been covered under this subchapter when such service was performed, plus interest computed in the same manner as is prescribed in subsection (e) of this section. The nonappropriated fund instrumentality shall furnish the Office such information as the Office determines is necessary to administer this subsection and section 8332(b)(15) of this title, and shall make the payment required by the first sentence of this subsection upon receiving from the Office a notification of the amount due. Such payment may not be considered a deposit by the individual under subsection (c) of this section for any purpose, including for the purpose of section 8339(i) of this title as in effect before, on, or after September 8, 1982.".

SEC. 3. (a) The amendments made by section 2 of this Act shall apply to—

(1) any individual who retires under subchapter III of chapter 83 of title 5, United States Code, on or after the date of enactment of this Act or who is entitled to a deferred annuity under such subchapter commencing on or after such date; and

(2) any individual who, on the date of enactment of this Act, is entitled to an annuity under subchapter III of chapter 83 of title 5, United States Code, and who, in accordance with regulations prescribed by the Office, applies to the Office within two years after such date for a redetermination of the amount of his or her annuity on the basis of such amendments.

(b) A redetermination of the amount of an annuity under subsection (a)(2) upon receipt of an application as provided in such subsection shall take effect with respect to payments of such annuity made on or after the first day of the second month commencing after such application is received by the Office.

II

99TH CONGRESS
2D SESSION

S. 2734

To amend chapter 83 of title 5, United States Code, to provide civil service retirement credit for service performed under the Railroad Retirement Act, and for other purposes.

IN THE SENATE OF THE UNITED STATES

AUGUST 9 (legislative day, AUGUST 4), 1986

Mr. MATHIAS (for himself, Mr. SARBANES, and Mr. STEVENS) introduced the following bill; which was read twice and referred to the Committee on Governmental Affairs

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A BILL

To amend chapter 83 of title 5, United States Code, to provide civil service retirement credit for service performed under the Railroad Retirement Act, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Railroad Service Retirement Credit Act of 1985".

SEC. 2. SERVICE CREDIT COMPUTATION.

Subsection (b) of section 8332 of title 5, United States Code, is amended—

(A) by striking out "and" at the end of paragraph (14);

(B) by striking out the period at the end of paragraph (15) and inserting in lieu thereof "; and"; and

(C) by inserting after paragraph (15) the following new paragraph:

"(16) in the case of any individual who first becomes an employee of the Department of Transportation, the Interstate Commerce Commission, the National Medication Board, the National Transportation Safety Board, or the Railroad Retirement Board on or before December 31, 1983, service performed on or after December 31, 1935, as an employee subject to the provisions of the Railroad Retirement Act of 1935, the Railroad Retirement Act of 1937, or the Railroad Retirement Act of 1974 (45 U.S.C. 231 et seq.), if such employee—

"(A) acquires 5 years or more of creditable civilian service (other than service performed on or after December 31, 1935, as an employee subject to the provisions of such Railroad Retirement Acts); and

"(B) makes a deposit to the Fund in an amount equal to the excess of the amount which would be required under section 8334(c) of this title, but for section 8334(g)(7) of this title, over the total amount contributed by such employee under such Railroad Retirement Acts.".

SEC. 3. DEPOSITS.

Section 8334(g) of title 5, United States Code, is amended—

(1) by striking out "or" at the end of paragraph (5);

(2) by striking out the period at the end of paragraph (6) and inserting in lieu thereof "; or"; and

(3) by adding at the end thereof the following new paragraph:

"(7) service creditable under paragraph (16) of section 8332(b) of this title, except to the extent provided in subparagraph (B) of such paragraph.".

SEC. 4. INELIGIBILITY FOR ANNUITY UNDER RAILROAD RETIREMENT ACT OF 1974.

Section 2 of the Railroad Retirement Act of 1974 (45 U.S.C. 231a) is amended by adding at the end the following new subsection:

"(i) An individual who is entitled to an annuity under subchapter III of chapter 83 of title 5, United States Code, is not eligible to receive an annuity under this section on the basis of the same service.".

STATEMENT OF
JAMES W. MORRISON, JR.
ASSOCIATE DIRECTOR FOR RETIREMENT
AND INSURANCE
OFFICE OF PERSONNEL MANAGEMENT

before the

SUBCOMMITTEE ON CIVIL SERVICE, POST OFFICE,
AND GENERAL SERVICES
COMMITTEE ON GOVERNMENTAL AFFAIRS
UNITED STATES SENATE

on

S. 1800, S. 2734, AND H.R. 3006, GRANTING
CIVIL SERVICE RETIREMENT CREDIT FOR CERTAIN
TYPES OF EMPLOYMENT

SEPTEMBER 18, 1986

MR. CHAIRMAN AND MEMBERS OF THE SUBCOMMITTEE:

I APPRECIATE THE OPPORTUNITY TO PRESENT THE VIEWS OF THE OFFICE OF PERSONNEL MANAGEMENT ON THREE BILLS WHICH WOULD GRANT CIVIL SERVICE RETIREMENT CREDIT FOR CERTAIN TYPES OF EMPLOYMENT.

S. 1800 WOULD PROVIDE CIVIL SERVICE RETIREMENT CREDIT TO CERTAIN EMPLOYEES AND FORMER EMPLOYEES OF NONAPPROPRIATED FUND INSTRUMENTALITIES. SUCH SERVICE WOULD BE CREDITABLE ONLY TO THE EXTENT IT IS NOT CREDITED UNDER A NONAPPROPRIATED FUND RETIREMENT SYSTEM. THE BILL WOULD APPLY TO INDIVIDUALS WHO RETIRE IN THE FUTURE, AND TO THOSE WHO HAVE ALREADY RETIRED IF THEY MAKE PROPER APPLICATION. EACH NONAPPROPRIATED FUND INSTRUMENTALITY WOULD BE REQUIRED TO MAKE A DEPOSIT INTO THE CIVIL SERVICE RETIREMENT FUND FOR ANY SUCH SERVICE THAT IS CREDITED. THE DEPOSIT WOULD BE THE

AMOUNT THAT WOULD HAVE BEEN DEDUCTED FROM THE PAY OF THE INDIVIDUAL IF THE SERVICE HAD BEEN COVERED BY CIVIL SERVICE RETIREMENT PLUS INTEREST.

THE QUESTION OF WHETHER EMPLOYEES OF NONAPPROPRIATED FUND INSTRUMENTALITIES SHOULD BE COVERED UNDER THE BENEFIT PROGRAMS FOR FEDERAL EMPLOYEES HAS LONG BEEN AN ISSUE. THE EXECUTIVE BRANCH HAS GENERALLY OPPOSED SUCH COVERAGE BECAUSE THE COST OF THESE BENEFITS WOULD HAVE A SIGNIFICANT ADVERSE EFFECT ON THE ABILITY OF THE NONAPPROPRIATED FUND INSTRUMENTALITIES TO PROVIDE SERVICES TO MEMBERS OF THE ARMED FORCES AT THE LOWEST POSSIBLE COST. IN ANY EVENT, SINCE THE INSTRUMENTALITIES IN QUESTION HAVE ALL HAD RETIREMENT SYSTEMS FOR A NUMBER OF YEARS, THE SERVICE CREDIT AT ISSUE IN S. 1800 WOULD BE LIMITED TO SERVICE PERFORMED IN THE PAST, BETWEEN 1952 AND THE MID-60'S. WE BELIEVE IT WOULD NOT BE JUSTIFIED TO GRANT CIVIL SERVICE RETIREMENT CREDIT FOR THIS SERVICE. AT THE TIME THESE INDIVIDUALS PERFORMED THE SERVICE IN QUESTION, THEY KNEW IT WAS NOT COVERED BY CIVIL SERVICE RETIREMENT, AND WE CAN SEE NO REASON TO GIVE THEM SUCH A BENEFIT AT THIS POINT. FURTHERMORE, THE DEPOSIT PROVISIONS OF THE BILL--WHILE POSSIBLY FORMIDABLY COSTLY TO THE INSTRUMENTALITIES--FALL FAR SHORT OF ACTUALLY REIMBURSING THE RETIREMENT FUND FOR THE COST OF THE BENEFITS.

S. 2734, THE "RAILROAD SERVICE RETIREMENT CREDIT ACT OF 1985," WOULD GRANT CIVIL SERVICE RETIREMENT CREDIT FOR EMPLOYMENT IN THE PRIVATE RAILROAD INDUSTRY FOR CERTAIN EMPLOYEES OF THE DEPARTMENT OF TRANSPORTATION, THE INTERSTATE COMMERCE COMMISSION, THE NATIONAL MEDIATION BOARD, THE NATIONAL TRANSPORTATION SAFETY BOARD, AND THE RAILROAD RETIREMENT BOARD.

WE ARE OPPOSED TO THIS BILL. THE EMPLOYEES IN QUESTION FREELY CHOSE TO LEAVE THEIR JOBS IN THE PRIVATE RAILROAD INDUSTRY TO ACCEPT FEDERAL EMPLOYMENT. THEY KNEW AT THE TIME THAT THEIR RAILROAD INDUSTRY SERVICE WOULD NOT BE CREDITABLE UNDER THE CIVIL SERVICE RETIREMENT SYSTEM, ANY MORE THAN ANY OTHER PRIVATE SECTOR EMPLOYMENT WOULD BE, AND WE CAN SEE NO JUSTIFICATION WHATSOEVER FOR GRANTING CIVIL SERVICE RETIREMENT CREDIT FOR SUCH AN EMPLOYEE'S PRIVATE SECTOR WORK. THE EMPLOYEES IN QUESTION HAVE ARGUED THAT THE FACT THAT THEIR RAILROAD INDUSTRY WORK QUALIFIED THEM FOR THEIR FEDERAL JOBS SHOULD SOMEHOW JUSTIFY THE RETIREMENT CREDIT THEY SEEK. WE CANNOT ACCEPT THIS RATIONALE, ANYMORE THAN WE WOULD FOR ANY OTHER EMPLOYEE WHO IS ABLE TO ENTER FEDERAL SERVICE AT AN ADVANCED GRADE LEVEL ON THE BASIS OF WORK EXPERIENCE IN THE PRIVATE SECTOR.

THE BILL WOULD REQUIRE THE EMPLOYEES TO DEPOSIT INTO THE CIVIL SERVICE RETIREMENT FUND ONLY THE AMOUNT BY WHICH THE CIVIL SERVICE RETIREMENT EMPLOYEE CONTRIBUTION RATE EXCEEDED THE AMOUNT THEY CONTRIBUTED TO THE RAILROAD RETIREMENT SYSTEM DURING THEIR

RAILROAD EMPLOYMENT. THIS DEPOSIT WOULD BE SUBSTANTIALLY LESS THAN OTHER COVERED EMPLOYEES CONTRIBUTED AND THE BILL MAKES NO PROVISION TO COMPENSATE THE RETIREMENT FUND FOR THE LIABILITY THE CREDITING OF THIS SERVICE WOULD CREATE.

H.R. 3006 WOULD REVISE THE RETIREMENT SERVICE CREDIT ARRANGEMENTS THAT WERE MADE WHEN NATIONAL GUARD TECHNICIANS WERE CONVERTED FROM STATE TO FEDERAL EMPLOYMENT IN 1969. THE BILL WOULD EXTEND CIVIL SERVICE RETIREMENT CREDIT TO ALL PRE-1969 EMPLOYMENT AS A NATIONAL GUARD TECHNICIAN. THE BILL WOULD APPLY TO INDIVIDUALS LEAVING FEDERAL EMPLOYMENT ON OR AFTER THE DATE OF ENACTMENT, AND ALSO TO INDIVIDUALS WHO LEFT FEDERAL SERVICE BETWEEN JANUARY 1, 1969, AND THE DATE OF ENACTMENT IF THEY MADE PROPER APPLICATION TO OPM.

UNDER CURRENT LAW, ONLY THOSE SERVING AS NATIONAL GUARD TECHNICIANS ON OR AFTER JANUARY 1, 1969, MAY RECEIVE CIVIL SERVICE RETIREMENT CREDIT FOR THEIR TECHNICIAN EMPLOYMENT BEFORE 1969. THIS RESTRICTION LIMITED THE COST OF THIS EXPENSIVE CREDITING OF NON-FEDERAL SERVICE, BY CONFINING IT ESSENTIALLY TO THOSE WHO WERE TECHNICIANS AT THE TIME OF THE TRANSFER TO FEDERAL STATUS AND WHO CONTINUED TO SERVE AS TECHNICIANS AFTER THE TRANSFER. WE RECOGNIZE THAT THIS PROVISION HAS NOT WORKED IN AN ENTIRELY REASONABLE WAY, SINCE A FORMER TECHNICIAN CAN GET ALL STATE SERVICE CREDITED BY COMING BACK AND SERVING AS A TECHNICIAN FOR ONLY ONE DAY. NEVERTHELESS, WE MUST OPPOSE THIS CHANGE.

THE REASON FOR THE 1969 CUTOFF DATE ON CIVIL SERVICE RETIREMENT CREDIT FOR NATIONAL GUARD TECHNICIAN EMPLOYMENT IS THAT, BEFORE 1969, THIS EMPLOYMENT WAS NOT FEDERAL SERVICE. THE STIPULATION THAT PRE-1969 SERVICE WOULD BE CREDITED ONLY FOR THOSE WITH TECHNICIAN SERVICE AFTER 1969 WAS INTENDED TO SERVE A FEDERAL PURPOSE AT THE TIME OF THE TRANSFER, NAMELY TO SERVE AS AN INCENTIVE FOR CONTINUING PARTICIPATION IN THE TECHNICIAN PROGRAM. WE CAN SEE NO PERSUASIVE REASON FOR CHANGING THIS ARRANGEMENT NOW.

IN SUMMARY, WE BELIEVE THAT THESE BILLS ARE NOT JUSTIFIED. IT IS UNREASONABLE AND ILLOGICAL FOR THE GOVERNMENT TO PAY CIVIL SERVICE RETIREMENT BENEFITS BASED ON SERVICE PERFORMED FOR SOME OTHER EMPLOYER. AS CIVIL SERVICE RETIREMENT CREDIT IS EXTENDED TO ADDITIONAL TYPES OF EMPLOYMENT, IT BECOMES INCREASINGLY DIFFICULT TO CONTINUE TO EXCLUDE EMPLOYMENT IN OTHER SECTORS FROM THE SYSTEM. OPM BELIEVES THAT LEGISLATION SUCH AS THESE BILLS--WHICH WOULD INCREASE THE UNFUNDED LIABILITY OF THE RETIREMENT SYSTEM--IS ESPECIALLY INAPPROPRIATE AT A TIME WHEN THE FEDERAL GOVERNMENT IS STRUGGLING WITH RECORD DEFICITS.

I APPRECIATE THE OPPORTUNITY TO APPEAR TODAY. I WILL BE GLAD TO ANSWER ANY QUESTIONS YOU MAY HAVE.

STATEMENT OF
JIM SNYDER
NATIONAL LEGISLATIVE DIRECTOR
UNITED TRANSPORTATION UNION

BEFORE THE

SENATE CIVIL SERVICE, POST OFFICE AND
GENERAL SERVICES SUBCOMMITTEE

ON

SENATE BILL S.2734
TO PROVIDE RETIREMENT CREDIT
UNDER THE CIVIL SERVICE
RETIREMENT SYSTEM FOR
CERTAIN EMPLOYEES
COVERED BY THE
RAILROAD RETIREMENT ACT

SEPTEMBER 18, 1986

My name is Jim Snyder; I am the National Legislative Director of the United Transportation Union and Chairman of the Railway Labor Executives' Association's Executive Committee. The United Transportation Union represents operating crafts of the Nation's railroads. The Railway Labor Executives' Association is an amalgam of all railroad labor organizations and therefore, through its broad scope, represents all rail labor.

Senate Bill S.2734 will favorably effect approximately 450 active employees, now participating in the Civil Service Retirement System but who, in the past, have contributed to the Federally enacted Railroad Retirement System.

Approximately one-sixth of this group are current employees of the Alaska Railroad, 72 in count. Congress has, in the Railroad Retirement Act of 1974, recognized the uniqueness of individuals in the employ of five Federal agencies, to include the Alaska Railroad, and established a current connection with the Railroad Retirement System for their years of railroads service. Both the United Transportation Union and the Railway Labor Executives' Association have a strong and sincere interest in their future and welfare.

Mr. Chairman, I am here this morning to join with President Blaylock in support of Senate Bill S.2734, a Bill to correct the inequity posed at retirement for this group of employees who were recruited from the Nation's railroads for their special expertise to implement vital Federal programs or to aid in the operation of the Alaska Railroad. I have purposely avoided presenting a lengthy statement. Instead, I have submitted a briefing paper for the record. However, I do want to emphasize that each of these individuals will receive, upon retirement, one annuity from Civil Service and another from Railroad Retirement; together the sum is considerably less than had they remained in railroad service. None were advised at recruitment of this negative impact nor could future legislative actions be foreseen. Each employee and spouse will be negatively rewarded, Mr. Chairman, unless Bill S.2734 is enacted into law.

The officers and members of the UTU and the RLEA believe that Senate Bill S.2734 presents an excellent opportunity to eliminate the unfairness that exists today.

It is my privilege to appear here today before this Subcommittee in support of Senate Bill S.2734, a Bill to establish equity for this finite group of employees, and I urge that every attempt be made toward quick passage.

BRIEFING PAPER
OF
JIM SNYDER

NATIONAL LEGISLATIVE DIRECTOR
UNITED TRANSPORTATION UNION

PREPARED FOR THE

SENATE CIVIL SERVICE POST OFFICE AND
GENERAL SERVICES SUBCOMMITTEE

IN CONNECTION WITH

SENATE BILL S.2734

THE NEED TO PROVIDE CIVIL SERVICE RETIREMENT CREDIT FOR SERVICE PERFORMED UNDER THE RAILROAD RETIREMENT ACT.

Synopsis

The Federal Government employs a small number of individuals recruited from the railroad industry to utilize their special technical railroad knowledge to implement vital government programs on rail transportation. These employees have made contributions to two Federal retirement systems (Railroad Retirement and Civil Service) and payments to either system were substantially equal. The contributions made to these two Federal retirement systems are deposited in the United States Treasury for eventual payment of earned retirement annuities.

At retirement, these employees receive a significantly smaller combined retirement annuity than they would have received had their entire service been under a single system. This inequity should be corrected. The cost associated with the proposed solution is negligible.

Background

The Congress has long recognized the need to employ individuals in the Federal Service who are highly knowledgeable in the construction, maintenance, repair, and operation of railroads. Since 1911[1] the authority to employ experts to promote the safe transportation of employees and travelers upon railroads was granted in several acts to the Interstate Commerce Commission (ICC) and, subsequently, the Department of Transportation's Federal Railroad Administration (FRA) and National Transportation Safety Board (NTSB). The National Mediation Board (NMB) and the Railroad Retirement Board (RRB) have also been authorized to employ experts from the railroad industry to accomplish the missions assigned those agencies. In addition, the Alaska Railroad, formerly a part of FRA, employs persons that obtained railroad experience and retirement credit in the 48 contiguous states.

The Congress has always believed that the employrent of persons with less ability than these capable and experienced

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1/ Please *see* 46 Cong. Rec. 728, 730, 731 (1911) for a discussion by Senators Smith, Burkett and Lodge of the importance of selecting experienced and well qualified people from the railroad industry to be inspectors who enforce the Locomotive Inspection Act; *see* also 45 U.S.C. § 22.

employees would doom governmental railroad programs to mediocrity 2/. Within the entire Federal Civil Service system there is now a small group of 458 employees in these five agencies having a uniform but singular background of work experience in the railroad industry that is responsible for carrying out the railroad related programs established by the Congress.

While in the railroad industry these employees contributed to and, after 10 years, were vested in Railroad Retirement benefits. Then in the Federal sector, they contributed to and, after five years, were vested in Civil Service Retirement benefits. Thus, these employees are fully funded - this is not a proposal for nonfunded credits.

Employee contributions to both of these Federal retirement systems have been substantially the same over the years and significantly more than Social Security (see Exhibit I).

Since these employees subscribed in serial fashion to two Federal retirement programs having substantially equal contributions, these employees reasonably assumed that

2/ Please see, e.g., 50 Stat. 835-837 (1937); 49 U.S.C. § 26(d).

benefits at retirement age would be roughly equal. However, the net impact is that an employee is considerably less well off under the two-component retirement system than he would have been with service either wholly railroad oriented or entirely under the Civil Service retirement system.

Exhibit II graphically depicts the magnitude of loss inflicted upon these employees. The calculations for annuity benefits are based on a hypothetical case of an employee and spouse, both age 62, retiring at the end of 1984. The employee salary for the Railroad Retirement annuity calculations is assumed to equal the maximum earnings subject to Social Security tax in each year beginning in 1951. The Civil Service annuity is based on GS-12 schedule salary with the employee entering Federal service at Step 1 and step increases occurring in timely fashion for satisfactory performance. Each benefit computation case is based on a total of 34 years of service either in the railroad industry, the Federal sector, or various combinations of both.

Exhibit II is applicable to all FRA safety enforcement agents and NTSB railroad accident investigators at the GS-12 grade level. In every case, each employee's combined retirement benefit is less than it would have been had his or her entire career been confined to only one retirement plan. Railroad retirement laws in effect when many of these individuals accepted Federal employment have since been substantially altered and benefits have continued to erode under amended law. The well-intentioned efforts of Congress over the past several years to benefit railroad workers in their retirement years have inadvertently short-changed Federal employees with railroad retirement credit.

The 1983 Social Security amehdments[3] compounded the harm to the employees having a vested interest in Railroad Retirement benefits. Because they have attained eligibility for Civil Service Retirement benefits, the Tier I Railroad Retirement benefits will be reduced after 1985. The impact of this reduction will reduce the benefits for combined service even lower than depicted in Exhibit II. When fully implemented in five years the loss in Tier I benefit will probably exceed $200 per month.

For things to have worked out this way does not seem to be what Congress had in mind. Many years ago the ICC, FRA, NTSB, NMB and RRB employees were cited in the Railroad Retirement Act[4] with respect to maintaining eligibility for Railroad Retirement benefits. As late as 1981, Congress applied partial remedy to this inequity by adding section

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[3] 97 Stat. 76. P. L. 98-21, reprinted in 1 U.S. Code Cong. & Ad. New 65, 76-77 (98th Cong. 1st Sess. 1983)

[4] 45 U.S.C. § 231(O) (1985 Supp. Pam.)

231b(b)(2) to the Railroad Retirement Act which specifically addresses the computation of Tier II benefits for the employees of a department or agency named in section 231(o). Still, the dedicated employees of these agencies are penalized considerably in their retirement years for their years of personal devotion to public service.

IDENTITY OF THE AFFECTED EMPLOYEES

The employees affected by this legislation are employed by the FRA, ICC, NTSB, NMB, RRB and the Alaska Railroad (ARR). A complete list of the affected employees, by agency, is attached as Exhibit III. The ARR was established by Congress in 1914 and operated as a unit of the Federal Government in the Department of Interior until it was transferred to the Department of Transportation in 1966 5/. In 1948, Congress placed all officers and employees of the Alaska Railroad subject to the provisions of the Alaska Railroad Retirement Act under the provisions of the Civil Service Retirement Act 6/. In 1985, the ARR was conveyed to the State of Alaska as provided for by the Congress 7/.

5/ 80 Stat. 931, P. L. 89-670 Department of Transportation Act.

6/ P. L. 94-468 The Alaska Railroad Retirement Act.

7/ 96 Stat. 2556, P. L. 94-468 The Alaska Railroad Transfer Act.

that transfer provides that the ARR employees will remain subject to the Civil Service Retirement Act until a substantially equivalent retirement system is developed by the State.

The AAR has from time to time employed persons who performed service under the Railroad Retirement Act within the 48 contiguous states. Until the transfer of the railroad to the State of Alaska, and in the interim, these employees have been considered as being section 231 (0) employees under the Railroad Retirement Act. This recognition will cease upon the development of an acceptable retirement plan.

The affected employees are dispersed as follows:

FRA - 294
ARR - 72
ICC - 69
NTSB - 14
NMB - 6
RRB - 3
Total 458

Most of the employees in this group are employed as safety inspectors at the GS-12 grade level in the FRA which, along with NTSB (accident investigators), is frequently faced with the need to recruit highly trained individuals for staffing headquarters and field assignments essential to the pursuit of agency missions. When the need to recruit arises, the agencies turn avidly to the railroad industry, the historical source of personnel trained in disciplines not available elsewhere. In reality, in every section of the country the accomplishment of agency functions is vastly facilitated by reliance on staff not trained at government expense. But these who embarked on a civil service career to contribute to the improvement of railroad transportation safety by bringing their unique knowledge into public service, have unknowingly disadvantaged themselves and their families in their retirement years.

CONCLUSION

Congress has already established a special relationship for certain Federal employees in the Railroad Retirement Act. It is only fitting that this relationship assure comparative rewards for these employees and their families in their retirement years. These employees continue to apply in Federal service the experiences that made them successful in their railroad careers. In a real sense, both jobs demand the same qualifications. Equality of retirement annuities would be achieved if service years in the railroad industry is made portable to an employee that is vested in the Civil Service Retirement program.

Such action will assure that these employees' retirement benefits will attain that of 34 years Federal service as depicted in Exhibit II, which will remove the inequities that exist today.

Precedent was set in 1948 by legislation eliminating inequities and correcting omissions for officers and employees of the Alaska Railroad. Officers and employees were removed from the Alaska Railroad Retirement and Disability Program and placed into Civil Service.[8]

The number of persons who will be affected by this legislation is very small. The proposal to combine the Federal retirement system credits for these employees will permit inequity to be erased.

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[8] 74 Stat. 409 (1960); 5 U.S.C. S2261; please see also the legislative history for purpose and cost, reprinted in, 2 U.S.C. Cong. & Ad. News 2958-2959 (86 Cong. 2d Sess. 1960)

EXHIBIT 1

Comparative Employee Retirement Contribution Rates

Year	Railroad Retirement (%)	Civil Service Retirement (%)	Social Security (%)
1937-1940	2.750	3.5	1.000
1941-1942	3.000	3.5-5.0[1]	1.000
1943-45	3.250	5.0	1.000
1946	3.500	5.0	1.000
1947-48	5.750	5.0-6.0[2]	1.000
1949	6.000	6.0	1.000
1950-51	6.000	6.0	1.500
1952-53	6.250	6.0	1.500
1954-56	6.250	6.0	2.000
1957-58	6.250	6.5	2.250
1959	6.250	6.5	2.500
1960-61	6.750	6.5	3.000
1962	7.250	6.5	3.125
1963-64	7.250	6.5	3.625
1965	8.125-7.125[3]	6.5	3.625

1966	7.950	6.5	4.200
1967	8.650	6.5	4.400
1968	8.900	6.5	4.400
1969	9.550	6.5	4.800
1970	9.550	7.0	4.800
1971-72	9.950	7.0	5.200
1973	10.600-5.85[4]	7.0	5.850
1974-77	5.850	7.0	5.850
1978	6.050	7.0	6.050
1979-80	6.130	7.0	6.130
1981	6.650-8.65[5]	7.0	6.650
1982-83	8.700	7.0	6.700
1984	9.450	8.3	6.700

[1] Effective 6/30/42

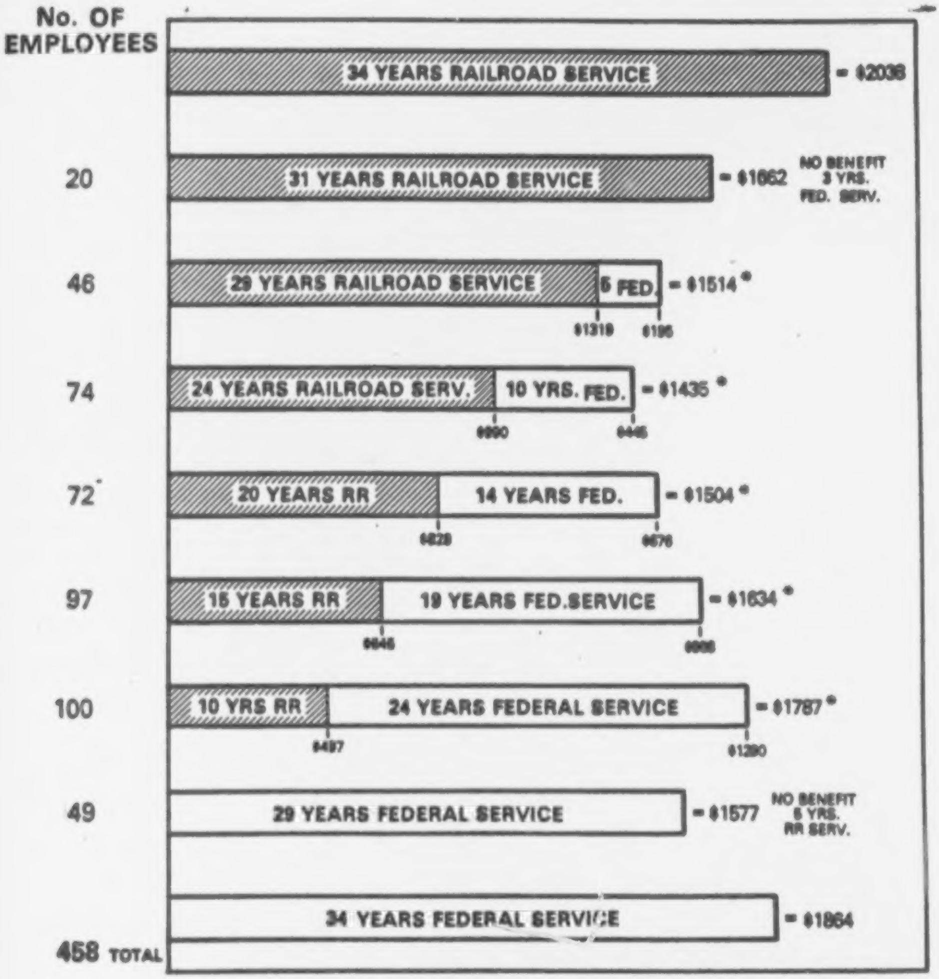
[2] Effective 6/30/48

[3] Effective 10/1/65

[4] Effective 10/1/73

[5] Effective 10/1/81

EXHIBIT II
EMPLOYEE, SERVICE, AND ANNUITY MIX



PROJECTED ANNUITIES FOR SELECTED COMBINATIONS OF RAILROAD AND FEDERAL SERVICE FOR A TYPICAL FEDERAL RAILROAD ADMINISTRATION (FRA) SAFETY INSPECTOR (GS-12) & SPOUSE AT AGE 62

* (DOES NOT INCLUDE ANNUITY REDUCTIONS INCORPORATED IN THE SOCIAL SECURITY ADMENDMENTS OF 1983)

AUGUST 5, [illegible]

EXHIBIT III

INTERSTATE COMMERCE COMMISSION

Section 231(0) Employees covered by H.R. 3638, as of 6/1/86.

	Date of	Railroad Service		Civil Service		CS
Employee	Birth	Years-Months		Years-Months		SCD
1	1/31/26	25	6	15	1	4/29/71
2	4/23/42	11	9	11	8	9/29/74
3	9/17/46	7	0	9	9	9/5/76
4	3/3/29	23	9	14	4	2/14/72
5	3/28/30	24	0	17	4	1/10/69
6	9/22/45	5	3	15	3	3/3/71
7	11/18/24	10	0	27	3	2/10/59
8	1/30/29	18	0	13	7	11/4/72
9	6/7/46	10	0	9	4	1/2/77
10	2/11/29	20	0	15	8	9/25/70
11	4/23/25	21	7	18	2	3/15/68
12	10/22/40	8	0	8	2	3/29/78
13	1/10/25	23	11	21	2	4/7/65
14	3/23/31	16	0	19	10	8/8/66
15	12/1/38	13	0	15	7	10/28/70
16	7/6/44	11	0	11	1	4/14/75
17	8/6/30	23	7	12	5	9/24/73
18	2/15/31	20	3	21	4	2/5/65
19	9/8/28	24	4	15	5	1/25/71

20	10/14/33	11	10	22	7	10/7/63
21	9/9/28	30	6	12	5	1/1/74
22	11/4/42	12	4	9	0	5/31/77
23	4/24/33	28	6	7	1	4/8/79
24	8/19/41	17	8	7	1	4/8/79
25	3/9/29	33	10	6	11	6/10/79
26	7/18/41	11	1	6	11	6/25/79
27	10/28/25	29	5	10	0	5/16/79
28	3/13/34	23	6	7	10	8/1/78
29	5/11/36	18	8	10	1	4/25/76
30	9/21/25	34	1	6	7	10/11/79
31	9/9/54	6	5	6	7	10/22/79
32	8/6/35	12	0	16	9	8/15/69
33	11/24/46	2	1	16	3	2/9/70
34	6/3/30	19	5	15	7	10/30/70
35	12/24/28	11	11	22	10	7/19/63
36	5/19/35	20	8	13	1	4/22/73
37	6/6/24	31	7	15	0	5/25/71
38	2/18/24	30	7	16	3	2/24/70
39	2/27/30	20	2	14	11	6/17/71
40	8/7/37	15	7	16	11	6/22/69
41	11/8/22	25	7	17	0	5/16/69
42	2/24/44	9	9	10	10	7/4/75
43	10/6/34	13	8	18	8	9/24/67

44	12/20/41	13	10	11	5	1/5/75
45	4/20/30	7	9	26	6	11/20/59
46	11/6/25	11	4	31	1	4/18/55
47	6/29/47	4	6	11	7	10/26/74
48	11/7/52	6	11	7	1	5/6/79
49	11/19/16	21	9	25	11	7/6/60
50	6/30/35	20	2	9	6	12/3/76
51	5/29/40	9	5	11	8	10/4/74
52	10/17/18	20	0	19	10	9/8/66
53	11/5/37	5	6	26	10	7/13/59
54	7/13/51	4	11	9	6	10/18/76
55	4/22/44	0	11	17	7	11/3/68
56	5/27/28	17	0	15	8	9/13/62
57	8/12/22	14	5	24	4	3/18/62
58	10/29/29	16	6	21	11	7/17/64
59	12/31/20	13	6	24	3	3/1/62
60	9/9/35	11	10	13	10	7/28/72
61	11/1/31	5	5	14	3	2/19/72
62	12/10/28	12	5	22	10	7/22/63
63	3/3/31	16	7	16	7	11/17/69
64	2/20/30	9	4	15	7	10/20/70
65	11/24/15	13	9	16	11	6/22/69
66	11/10/28	9	0	30	5	1/10/56
67	3/30/36	10	5	13	9	8/29/72
68	1/21/40	15	6	6	3	2/28/78
69	3/29/35	19	0	15	9	10/1/70

NATIONAL TRANSPORTATION SAFETY BOARD

Employee	Date of Birth	Railroad Service Years-Months		Civil Service Years-Months		Military Years-Months	
1	6/2/27	18	0	15	0	2	0
2	7/27/31	16	0	16	0	4	0
3	7/31/24	20	0	22	0		22
4	8/25/40	7	0	10	0		
5	5/22/28	29	0	9	0	3	4
6	1/12/29	17	6	10	5	3	6
7	9/10/27	7	0	11	0	2	0
8	3/1/33	12	0	12	6	2	0
9	8/1/25	28	0	12	0	3	0
10	11/20/47	11	0	7	0		
11	6/12/32	25	0	7	0		
12	6/6/26	28	0	11	0	2	0
13	12/9/33	18	0	14	0	2	0
14	9/21/35	13	0	15	0	2	0

NATIONAL MEDIATION BOARD

Employee	Date of Birth	Railroad Service Years-Months		Civil Service Years-Months		Military Years-Months	
1	10/29/28	22	0	7	0	3	0
2	2/19/42	10	0	15	0	0	
3	2/15/31	20	0	15	6	0	
4	10/4/17	27	0	16	0	0	
5	5/6/27	21	0	19	0	1	1
6	8/30/21	23	0	19	0	1	0

RAILROAD RETIREMENT BOARD

Employee	Year of Birth	Railroad Service Years-Months		Civil Service Years-Months		Military Years-Months	
1	1921	37	8	9	0	0	
2	1943	15	0	5	0	3	0
3	1932	26	1	6	0	2	0

FEDERAL RAILROAD ADMINISTRATION

Employee	Date of Birth	Railroad Service Years	Civil Service Years
1	9/28/26	34	7
2	3/12/51	13	3
3	1/25/30	25	8
4	10/7/26	14	20
5	7/13/44	9 1/2	7
6	12/21/29	29 1/2	12
7	6/14/25	30	12
8	4/15/47	14	8
9	4/29/27	15	7
10	10/15/50	9	6
11	5/15/29	12	25
12	10/18/50	14	3
13	8/6/36	23 1/2	8
14	5/25/22	36	10
15	5/5/33	22 1/2	12
16	2/21/36	11 1/2	16
17	8/3/44	15	4
18	7/24/38	18	8
19	7/14/20	20	26

20	11/5/27	31	10
21	6/9/28	20	7
22	5/8/43	15	8
23	9/13/24	30	13
24	11/21/50	9 1/2	7
25	8/14/32	20	3
26	5/28/44	10 1/2	12
27	3/9/25	24	12
28	11/20/39	18	7
29	12/16/39	16 1/2	11
30	5/17/27	32 1/2	5
31	6/17/19	30	12
32	6/13/25	32 1/4	10
33	4/12/35	22	12
34	4/17/29	29 1/3	9
35	8/10/34	26	8
36	6/2/49	11 1/4	4
37	3/19/26	20	6
38	7/22/28	29 3/4	6
39	1/31/30	25 1/2	10
40	10/12/46	8 1/2	3
41	2/2/25	32	12
42	6/23/37	10	7
43	6/26/41	5	12
44	12-21-47	10	8
45	9/16/46	14 2/3	7
46	8/2/26	19	24

47	1/4/56	6	3
48	3/29/41	6 1/4	9 1/2
49	6/27/46	11	7
50	8/12/29	22 1/2	15
51	9/20/37	10 3/4	10
52	1/6/17	29 2/3	16
53	5/30/24	37	8
54	9/22/51	13	3
55	12/6/26	28 1/2	16
56	6/26/38	18 1/3	3
57	11-6-29	21 3/4	14
58	8/30/47	14 1/2	6
59	7/11/49	9	3
60	11/29/36	19	7
61	6/12/53	6	3
62	2/8/38	20	8
63	2/4/38	20	3
64	2/2/21	10	27
65	1/12/31	15 1/4	14
66	7/21/44	3 1/2	14
67	3/27/47	11	7
68	9/8/41	11	11
69	6/27/27	29 1/2	12
70	6/7/28	23	7
71	8/11/45	9	8
72	5/5/42	9	8

73	4/25/55	3	5
74	1/14/48	10 1/2	6
75	8/21/24	16 1/2	27
76	2/20/17	17 1/2	23
77	7/9/31	19	12
78	8/1/47	10	6
79	12/11/45	6	12
80	10/8/25	29	12
81	11/16/27	20	7
82	10/29/27	21	14
83	12/17/21	25	23
84	7/15/41	10	10
85	7/25/49	7	8
86	6/12/26	17	23
87	3/30/37	15	9
88	12/1/43	16	7
89	11/24/24	23	16
90	5/20/23	12	32
91	12/18/27	15	20
92	9/7/30	20	3
93	7/8/38	25	3
94	1/27/28	25	12
95	4/30/42	13	4
96	7/14/27	9 2/3	25
97	8/21/49	15	3
98	7/10/21	16	7

99	6/20/25	12	27
100	5/25/34	23	10
101	4/11/26	30	8
102	12/25/26	30	6
103	12/15/42	10 1/4	[illegible]
104	12/26/29	17	14
105	4/23/27	19 1/2	13
106	10/5/33	17	13
107	11/8/35	23 1/2	7
108	5/15/46	9 1/2	6
109	7/15/36	13	12
110	1/7/34	14	12
111	10/11/37	18	10
112	3/21/25	29	10
113	5/17/34	25	7
114	6/10/41	10	12
115	5/27/49	9 1/2	9
116	8/1/28	22	14
117	11/18/24	13	25
118	3/22/28	16	20
119	11/20/28	31	8
120	10-24-42	12	12
121	4-11-34	29	7
122	8/12/24	28	16
123	2/16/26	27	15
124	12/23/45	3	6

125	3/7/32	22	3
126	2/11/32	33	3
127	12/26/42	13	3
128	7/8/39	19	3
129	1/4/29	24	10
130	11/18/43	17	4
131	3/10/31	31	4
132	1/16/30	23	11
133	5/7/25	22	24
134	11/12/24	29	11
135	9/1/49	7	11
136	9/12/28	27	3
137	1/12/30	30	3
138	3/19/50	7	6
139	1/11/44	8	12
140	12/9/37	22	7
141	6/15/36	21	9
142	5/26/56	5	4
143	8/5/21	25	16
144	5/17/50	10	7
145	12-11-46	10	6
146	2/2/28	30	10
147	12-26-36	26	7
148	4/13/33	20	12
149	6/15/27	30	7
150	4/4/24	37	3

151	9/11/29	23	12
152	10/22/30	20	12
153	6/22/42	6 1/2	10
154	4/10/26	28	15
155	1/25/29	26	4
156	2/21/46	9 1/2	12
157	1/10/29	33	4
158	11/18/29	25 1/2	9
159	1/28/28	13 1/2	22
160	6/5/32	27 1/2	6
161	9/4/29	27	8
162	11/13/27	29	8
163	11/12/44	15 1/2	8
164	12/31/35	23	7
165	4/1/47	9 1/2	6
166	10/25/43	9 1/2	6
167	1/19/48	10	3
168	12/18/42	10 1/2	4
169	8/16/27	13	15
170	11/27/34	19	9
171	4/11/25	13	22
172	1/10/27	20	19
173	3/18/32	27	9
174	10/15/26	24	12
175	2/22/51	10	3
176	1/26/30	24 1/2	12

177	12/20/24	21	12
178	10/10/29	21	13
179	11/6/41	18	9
180	6/23/50	8	7
181	12/29/34	18	8
182	7/10/35	8	7
183	4/12/27	26	10
184	9/2/44	10	7
185	7/4/40	11	11
186	2/27/24	10	17
187	12/16/17	3	26
188	5/13/28	4	9
189	12/19/24	31	12
190	3/21/39	12	15
191	12/3/53	5	6
192	5/10/31	21	4
193	7/30/33	26	10
194	9/20/46	11	11
195	7/19/26	11	27
196	5/25/33	22	12
197	4/8/34	21	8
198	6/26/39	20	7
199	11/23/28	12	21
200	8/19/39	12	7
201	1/24/22	30	4

202	3/16/42	17	8
203	12/16/28	16	21
204	2/17/29	24	5
205	12/29/32	25	3
206	6/9/47	9	6
207	7/7/49	8	10
208	4/14/39	14	12
209	11/3/30	16	11
210	5/1/52	9	7
211	2/29/28	9	27
212	8/1/50	15	4
213	10/15/46	13	4
214	9/23/51	8	3
215	7/25/29	25	8
216	10/1/40	17	8
217	12/21/20	25	9
218	11/28/37	9	8
219	8/7/33	25	8
220	3/6/24	28	13
221	9/15/34	20	6
222	11/5/46	9	6
223	6/21/19	23	13
224	12/30/31	22	12
225	3/17/43	13	10
226	8/8/42	6 1/2	3
227	9/18/26	25	21
228	2/25/29	18	9

229	12/27/50	9	7
230	1/7/29	29 1/2	7
231	1/30/28	25	9
232	1/16/44	15	8
233	6/10/27	20	22
234	9/2/30	25	3
235	3/13/27	25	15
236	6/21/26	28	11
237	10/6/25	25	12
238	1/25/53	10	6
239	4/26/29	25	12
240	5/16/27	29 1/4	12
241	9/17/26	31	8
242	1/2/47	12	4
243	12/11/48	7	4
244	8/22/28	27	12
245	8/2/46	9 1/2	4
246	2/1/25	15	27
247	1/7/36	21	8
248	9/2/24	33	3
249	1/5/26	31	11
250	5/31/46	12	10
251	3/9/33	17	3
252	11/24/50	13	4
253	4/28/30	29	7
254	9/26/55	7	3

255	8/10/48	14 1/2	3
256	8/22/36	16	10
257	3/11/42	17	10
258	5/24/27	30	12
259	3/25/47	9	8
260	10/26/38	11	7
261	9/29/30	16	9
262	5/9/24	22	12
263	10/27/24	35	7 1/3
264	2/2/39	15	15
265	11/12/26	22 1/2	16 1/2
266	7/21/31	9 2/3	23 1/2
267	2/6/35	12 1/2	15 3/4
268	7/6/25	24	12
269	5/26/29	10	22
270	9/9/29	24	14
271	11/5/37	12	14
272	7/18/35	14	14 1/3
273	6/9/23	14	14
274	3/26/30	15	22
275	3/10/48	8	8 2/3
276	1/28/39	16	10
277	3/5/52	5	3
278	2/18/51	10	3

279	6/6/21	20	18
280	10/10/24	13	22
281	8/19/43	5	15 2/3
282	7/12/26	30	10
283	12/29/26	19 2/3	7 3/4
284	9/7/38	3	14
285	12/22/27	23	14
286	10/29/35	11 3/4	11 1/2
287	6/28/14	9	20
288	9/8/26	11	12
289	1/1/44	5	11 1/2
290	10/2/31	12	8
291		16	
292		7	
293		23	
294		3	

ALASKA RAILROAD

Employees	Date of Birth	Railroad Service Years	Civil Service Years
1		20	13
2		21	16
3		12	22
4		14	20
5		10	19
6		17	20
7		10	14
8		12	2
9		23	20
10		20	3
11		20	13
12		13	5
13		10	14
14		16	19
15		14	17
16		12	5
17		12	6
18		11	5
19		10	10
20		11	14

21	10	9
22	21	15
23	15	6
24	14	18
25	11	17
26	3	15
27	4	13
28	4	17
29	5	14
30	1	24
31	3	3
32	1	15
33	9	2
34	4	5
35	5	3
36	3	3
37	3	3
38	8	12
39	5	10
40	3	14
41	6	5
42	5	20
43	5	14
44	4	12
45	2	13
46	1	14

47	9	16
48	8	13
49	8	3
50	14	11
51	2	20
52	2	24
53	1	10
54	10	2
55	3	13
56	9	13
57	12	14
58	3	7
59	3	11
60	5	19
61	2	14
62	1	13
63	7	16
64	5	20
65	2	37
66	1/6	8
67	7	7
68	13	15
69	11	17
70	1/2	20
71	10	4
72	2	15

NOT FOR PUBLICATION UNTIL RELEASED
BY THE SENATE SUBCOMMITTEE ON
CIVIL SERVICE, POST OFFICE, AND
GENERAL SERVICES, OF THE GOVERNMENTAL
AFFAIRS COMMITTEE

STATEMENT OF THE DIRECTOR, DEPARTMENT OF DEFENSE NONAPPROPRIATED FUND PERSONNEL POLICY OFFICE

CARL O. BURGHARDT

HEARINGS BEFORE THE SUBCOMMITTEE

ON

CIVIL SERVICE, POST OFFICE, AND GENERAL

SERVICES, OF THE SENATE GOVERNMENTAL

AFFAIRS COMMITTEE

SEPTEMBER 18, 1986

Mr. Chairman and Members of the Committee, thank you for the opportunity to present the views of the Department of Defense on S. 1800, 99th Congress, a bill "To amend title 5, United States Code, to provide Civil Service retirement credit for certain employees and former employees of nonappropriated fund instrumentalities under the jurisdiction of the Armed Forces, and for other purposes."

The Department of Defense defers to the Office of Personnel Management on the policy issues involved in covering nonappropriated fund employees under the civil service retirement system. The Department is opposed to the unknown unfunded liabilities that the bill would create for nonappropriated fund instrumentalities. The bill applies to nonappropriated fund personnel employed in certain programs and would credit service performed after June 1952, but only to the extent such service is not credited under a nonappropriated fund instrumentality retirement system.

The basis of our opposition to the bill is founded in the retirement fund contribution required of the nonappropriated fund instrumentality which employed the individual. According to S. 1800, the nonappropriated fund instrumentalities of the respective Military Department would be required to make a deposit including interest to the civil service retirement fund. The cost to each individual nonapporopriated fund instrumentality cannot be determined unless the number of employees, salary, and years of service are known. Whatever the total salary per year is, the extra cost would be about seven percent of that figure per employee per year of service. This will create an unfunded liability upon a nonappropriated fund instrumentality which may no longer exist or may be unable to pay.

There are at least two prior occasions where certain groups of nonappropriated fund employees had their retirement credited service increased by legislative intervention. In both cases Congress approved the use of appropriated funds to fund the additional benefits, although employee contributions were also required in one case:

The Panama Canal Act of 1977 (Pub. L. No. 96-70) presented a situation analogous to the instant case by requiring nonappropriated fund retirement plans to retroactively recognize additional credited service for certain citizens of the Republic of Panama. In order to determine the cost of recognizing this additional service, each DoD service component collected statistics on the affected group of employees. The statistics were provided to an actuary and the total cost was determined according to established actuarial principles, $405,000 in appropriated funds for the Department of Army alone. This process was facilitated by the fact that the affected individuals' employment status never really changed, i.e., they remained actively on the rolls during the entire time.

S. 1800 would recognize nonappropriated fund service which in the Department of Army was between 20 and 34 years ago and which would involve service records it would be difficult, if not impossible in many cases, to recapture.

The Foreign Service Act of 1980, (Pub. L. No. 96-465) presented a situation similar to the instant case. It provided Civil Service Retirement System credit for nonappropriated fund employment for certain employees of the Armed Forces Network Europe who were involuntarily converted from nonappropriated fund to appropriated fund positions by Congressional mandate. The implementing regulations were published in Federal Personnel Manual Letter 831-66, 30 June 1981. Contributions were required of the Armed Forces Network Europe employee, but not from the nonappropriated fund instrumentality.

However, for the reasons stated, even the use of appropriated funds would not solve the Defense Department's problems in implementing the provisions of S. 1800.

Accordingly, the Department of Defense strongly recommends that the bill not be favorably considered. While it is apparent there will be a fiscal effect, there is insufficient information available on which to calculate the total cost if S. 1800 is implemented.

STATEMENT OF JAMES EARLEY

Mr Chairman, thank for the opportunity to present testamony concerning Senate Bill 1800 " a bill to amend title 5, United States Code, to provide Civil Service retirement credit for certain employees and former employees of nonappropriated fund instrumentalities under the jurisdiction of the Armed Forces, and for other purposes."

The Special Services program dates from World War I and by the end of World War II had grown into a permanent, well-rounded leisure time effort for the benefit of the active duty military both at home and abroad that included service clubs(recreation centers), libraries, arts & crafts, music and sports. The programs were staffed, except for sports, almost entirely by women. During the 1950's the military advertised in women's magazines and other media offering "careers" to "single girls" at least 23 years of age with a bachelor's, and in some instances, master's degree in the various specialized areas covered by the program. Please refer to exhibit # 1 for samples of advertising.

From the start, financial support came from funds appropriated by the Congress supplemented by those of an Non-appropriated nature flowing primarily from the profits obtained from military operation of post exchanges and similar commercial type activities.

The Office of Personnel Management and its predecessor, the Civil Service Commission has maintained over the years that Federal service qualifying the employee for Civil Service status requires a (1) Federal Appointment, (2) Federal supervision, and (3) the performance of Federal functions.

All three of these criteria were met by Special Services employees. The standard government appointment Form 50 was used. In those instances when the employees were to be paid from nonappropriated funds, this was noted on the form.

Regarding supervision and performance of Federal functions, from the time of appointment there were no differences of any kind between employees paid form appropriated and non-appropriated funds. We performed identical tasks under the same Civil Service and Army administrative regulations and rules, were paid according to the GS pay schedule and were given identification cards,and passports stamped "On Official Duty for the Department of the Army." When abroad, we paid Federal income taxes as did other Federal employees(unlike American civilian living and/or working for the private sector in foreign lands) and were ruled to be Federal employees under the Status of Forces Agreements. WE WERE NOT "CONTRACT" EMPLOYEES.

On numerous occasions, both at home and abroad, Special Services employees were transferred from nonappropriated funds(occasionally in the same position) without modifications of any kind in supervision or work function. When working overseas, both appropriated and nonappropriated fund employees were required to sign the same transportation agreements. Thus, the careers of appropriated and nonappropriated employees were identical except for the "Nonappropriated Funds" notation on the Standard Form 50, According to the Comptroller General, Special Services personnel, "...meet the (three) criteria (previously stated) used to determine Federal employees but are excluded by law (5 U.S.C.2105) from Civil Service coverage." (See inclusure 2.)

The 1952 amendment to the Civil Service laws barring Special Services employees paid from nonappropriated funds credit toward Civil Service retirement came about indirectly and apparently without any consideration of the rights or interests of these employees, in an effort by the Congress to "clarify" the law. There was a difference of opinion, between the Department of Defense and the Civil Service Commission as to the status of nonappropriated employees, the predominant number os which were employees of the Post Exchange and other commercial type activities. The ammendment was aimed at those commercial type employees. The professional career Special Services employees were not identified in the legislation nor were they considered.

In 1952, the department of Defense had concluded, as a matter of policy, that the commercially-oriented post exchange type activities could operate more efficiently if freed from the restraints imposed by Civil Service laws and regulations. The Supreme Court decision in Standar Oil Company vs Johnson(316 U.S. 481,1942) held that an Army Exchange was an integral part of the Defense establishment and as such was entitled to all the immunities from local taxation as a normal Federal operation. Confronting the Departmentof Defense was the Civil Service Commission which had concluded that the Supreme Court decision required these commercially oriented exchange employees to beconsidered as having Federal status. These factors led the Department to submit a bill to the congress to clarify the status of Post Exchange employees. Finally, the Civil Service Commission went along.

At the time, the significance of "Federal status," the potential legal ramifications of being paid from nonappropriated rather than appropriated funds and the lack of retirement credit that might necessarily attend policy decisions made at the highest levels of the Defense Department, were not gererally understood at the working levels of Special Services. The critical questions were often not explained, despite the severe impact they could have on careers in later years. Nor were the nonappropriated employees organizationally oriented. We were a constantly changing group, scattered at military installations around the World intermingled and indistinguishable from fellow Special Services employees who were paid from appropriated funds and, therefore, were not a party to our problem.

In a report submitted to the Speaker of the House regarding the "Clarifying" legislation, the Congress was advised that:

"The Department of Defense does not believe that these employees (post exchange type employee) should be included within the Federal Civil Service. To place such employees under Service rules and regulations would be detrimental to the operations involved and would impose a substantial hardship upon the normal operations of agencies engaged in nonappropriated fund activities. Since installation population is subject to rapid change, it is necessary to operate exchanges to meet the existing needs. At times it is necessary to employ and release these workers on a daily basis. Subjecting these employees to the laws pertaining to civil service would be a definate handicap to both these workers and the employing agency and would retard recruitment and add to the financial burden of the operation."(inclosure 3, House Report, 1995, 82nd Congress, p.4.)

The Director of the Bureau of the Budget advised the speaker:

"Service exchanges, club messes and other activities which are the subject of this bill are commercial-type operations similar to retail business. Fund controls, budgeting and procurement are operated in accordance with the private commercial enterprise. These activities employ many short-term employees, the rates of pay must be competitive and the operation must be successful within the limit of their operating income, which does not come from appropriated funds. It is the experience of the Department of Defense that service exchange personnel operations should be flexible so that needed rapid adjustments may be made."
(Inclosure 3,p.6)

Based on these representations, the Congress approved the following amendment to the Civil Service Laws:

"Civilian employees, conpensated from nonappropriated funds of the Army and Air Force Exchange service, Army and Air Force Motion Picture Service, Navy Ship's Stores Ashore, Navy Exchanges, Marine Corps Exchanges, Coast Guard Exchanges,and other instrumentalities of the United States under the jurisdiction of the Armed Forces conducted for the comfort, pleasure, contentment, and mental and physical improvement of personnel of the Armed Forces, shall not be held and considered as employees of the United States for the purpose of any laws as administered by the Civil Service Commission.."
(5 U.S.C. 2105)

In the above enactment, the term"...and other instrumentalities of the United States under the jurisdiction of the Armed Forces conducted for the comfort, pleasure, contentment, and mental and physical improvement of personnel of the Armed Forces..." extended the impact of the legislation far beyond the "commercial type," "retail business," "short-term employee"operations of the military exchanges. This all-inclusive phrase has been interpreted to cover the career, long-term professionally oriented members of the Special Services that were not connected in any way with the exchange type commercial functions of the military.

Neither the house nor Senate reports on this legislation make any reference to Special Services personnel. Also, the Department of Defense assured the Congress that:

"The sole purpose sought to be achieved by this legislation is to clarify the status of employees of nonappropriated fund activities in the department of Defense, and will neither take away existing rights and privileges of such employees nor confer new rights or privileges upon such employees."

This simply was not true regarding Special Services employees. This statute pre-empted our right to have our status determined in substantive terms on the merit of our position.

Had the House and Senate Committees known about the relatively small number of Special Services employees in the Defense Department that were paid from nonappropriated funds it is unthinkable that the Committees, regardless of the substantive position they might have taken, would have simply ignored our status. The logical conclusion is that the Committees were not advised of these employees. For had they been advised, it is manifestly clear that the issue would have been discussed. The Department of Defense drafted S.1828 that was submitted, introduced by request and enacted as 5 USC 2105. The Department of Defense simply overlooked telling the Congress about us.

As a result, the amendment to the Civil Service laws pre-empted application of any substantive test, such as the Civil Service had devised, to bhe status of Special Services personnel paid from nonappropriated funds. Then, having derpived us of Civil Service retirement, the Department of Defense waited 14 years before providing any retirement plan for Special Services non-appropriated funds employees - a plan that was not made retroactive and does not benefit the prior employees in any way.

Over the years, we have sought relief, but without success - not because of any lack of equity in our position but largely because we remain an "unorganizable" group, spread throughout the government in many Federal agencies across the country and around the world.

Meanwhile, the Congress has extended Civil Service Retirement credit to a number of other groups(some of which did not fill the qualifying factors of (1) Federal appointment, (2) Federal supervision, and (3) the performance of Federal functions). It would not be appropriate for us to compare the equities of our case with those to which the Congress has afforded relief. However, it would be fair to suggest that none had greater claim to retirementcredit than we do. For your information, these other include:

-Civilian telephone operators in World War I
-Armed Forces Network Broadcasters
-World War II airplane ferry pilots (all women)
-State employees under contract to the National Guard
-Senate Campaign Committee employees
-USIA Grantee teachers at the American Binational Center
-Japanese Americans in relocation camps during World War II
-Certain CETA trainees

- -Navy contract spies
- -National Committee For A Free Europe
- -Free Europe Committee, Inc.
- -Free Europe, Inc.
- -Radio Liberation Committee
- -Radio Free Europe/Radio Liberty Inc.
- -Radio Free Asia
- -Armed Forces Network Europe
- -Certain service in House of Representatives Beauty Shop

The number of Federal employees affected is not know precisely. A 1977 Army survey concluded that about 350 present Federal workers would be benefited were they given credit for their nonappropriated Special Services time, in both overseas and stateside positions. The Office of Personnel Management takes the position that the Civil Service Retirement Fund be compensated by the employers when other groups are added to the retirement list. In the cases listed above , it is our understanding that the Congress has not followed any set policy regarding employer contributions. In our case, the Defense Department could easily arrange for such a contribution should you decide on this course of action.

Departmentof Defense sent a copy of the S1800 bill to its department heads requesting their imput concerning the bill, however they did not include the excellent background material presented by Senator Mathias and printed in the Congressional Record (S14352/ 29 Oct 85). We understand DOD was under the impression that they would carry the full expense of the eligible retirees added to the retirement fund. This is not the case as the the Congressional Record states"All eligible applicants will be required to redeposit plus interest to the civil service retirement and disability fund for their uncredited time."

Respectfully request that the attached letters from the Special Libraries Association, the European Recreation Society and the National Recreation and Parks Association and statements from several individuals be entered as part of the testimony of this hearing.

Special
Libraries
Association

1700 Eighteenth Street, N.W. Washington, DC 20009

202 234-4700

February 21, 1986

The Honorable Ted Stevens, Chair
Civil Service, Post Office &
General Services Subcommittee
SH-601 Hart Senate Office Building
Washington, D.C. 20510

Dear Senator Stevens:

The members of the Special Libraries Association, an international organization of more than 12,200 librarians, information managers and brokers, support the passage of S.1800, "Nonappropriated Fund Instrumentalities Employees' Civil Service Retirement Credit Act of 1985," and applaud its introduction by Senator Charles Mathias.

The enactment of this legislation will enable a number of SLA members who served as special service employees to receive credit toward federal retirement for time paid from non-appropriated funds. The Bill provides for satisfactory safeguards by allowing credit for non-appropriated fund time only upon documentation of service and matching redeposits into the federal pension fund by both the employee and their employing agency.

The Special Libraries Association urges the members of the Senate Subcommittee on Civil Service, Post Office, and General Services to take favorable action by reporting S.1800 out to the full Committee. Further, your support is sought for passage of this piece of legislation.

With appreciation and best regards, I remain,

Cordially,

David Bender

David R. Bender, Ph.D.

cc: Charles Mathias

David R. Bender, Executive Director

[illegible] Associate Executive Director, Program Services

[illegible] Assistant Executive Director, [illegible]

EUROPEAN RECREATION SOCIETY
An Affiliate of the National Recreation and Parks Association
Morale Support Activities Division
USMC Wildflecken
APO New York 09026

20 February 1986

Honorable Charles McC. Mathias, Jr.
United States Senator
Washington, D.C. 20510

Dear Senator Mathias,

This letter expresses our appreciation for your efforts on our behalf in introducing S. 1800 to the 99th Congress.

The European Recreation Society (ERS) represents over 300 current members, and many former members who now pursue their Civil Service careers in other parts of the world, and those who have retired. Not all members, past or present, will benefit from successful passage of S. 1800 into Public Law as many of them did not work for a NAFI prior to 1966. Nevertheless, at a November 1985 general membership meeting of ERS, members voted unanimously to support this legislation by urging their respective congressional representatives to pass S. 1800. We wanted to share this information with you.

A letter written on behalf of ERS members has also been delivered to Senator Ted Stevens, requesting his continued support to assure the bill becomes law.

We are aware of your unfailing support of a small yet dedicated group of federal employees and retirees who will benefit from S. 1800. We know, for instance, that you sponsored a similar bill, S. 1786, in the 98th Congress; that when this legislation failed to pass because of misinterpretations, you continued to work to clearly represent the facts of the matter to all concerned. We agree that the new bill is most definitive and will dispel previous objections. It would not have happened without your extra effort, for which we are deeply indebted.

Although many of us are not your constituents, we surely feel we have a good friend in Congress.

Very respectfully,

Claudia Bibber

CLAUDIA BIBBER
President

Life. Be in it.
© [illegible] "Life. Be in it." Company

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National Recreation and Park Association

April 4, 1986

The Honorable Ted Stevens, Chairman
Civil Service, Post Office and
General Services Subcommittee
Washington, D. C. 20510

Dear Senator Stevens,

The National Recreation and Park Association, a network of over 17,000 members, supports the passage of S.1800, "Nonappropriated Fund Instrumentalities Employees' Civil Service Retirement Credit Act of 1985."

We appreciate Senator Charles Mathias efforts in introducing this bill which will allow some of our members who are long term career employees with Special Services activities paid from nonappropriated funds (NAF), to claim retirement credit for those periods of service prior to the establishment of any NAF retirement system in the Defense Department.

The National Recreation and Park Association requests your support in getting S.1800 out of your committee and into hearings as soon as possible in this congress.

Respectfully yours,

Donald E. King

Donald E. King, President
Armed Forces Recreation

EQUITY
FOR FORMER GUARD TECHNICIANS

P. O. BOX 8744
BALTIMORE/WASHINGTON
INTERNATIONAL AIRPORT
BALTIMORE, MD. 21240

"EQUITY FOR FORMER GUARD TECHNICIANS"

TESTIMONY

BEFORE THE SUBCOMMITTEE ON

CIVIL SERVICE POST OFFICE AND GENERAL SERVICES
(COMMITTEE ON GOVERNMENTAL AFFAIRS)

OF THE

UNITED STATES SENATE

SEPTEMBER 18, 1986

"EQUITY FOR FORMER GUARD TECHNICIANS"
UNITED STATES SENATE
COMMITTEE ON GOVERNMENTAL AFFAIRS
CIVIL SERVICE, POST OFFICE AND GENERAL SERVICES SUBCOMMITTEE

MR CHAIRMAN:

IT IS INDEED AN HONOR AND SPECIAL PRIVILEGE TO APPEAR BEFORE THIS SUBCOMMITTEE TO PROVIDE INFORMATION RELATING TO H.R. 3006, A BILL INTRODUCED IN THE HOUSE OF REPRESENTATIVES BY THE HONORABLE C. V. (SONNY) MONTGOMERY, TO CORRECT A SERIOUS AND LONGSTANDING INEQUITY RELATING TO FEDERAL CIVIL SERVICE CREDIT FOR A GROUP OF FEDERAL EMPLOYEES WHO PREVIOUSLY SERVED THIS NATION AS NATIONAL GUARD TECHNICIANS.

I AM HERE TODAY AS A SPOKESPERSON, REPRESENTING APPROXIMATELY 300 FORMER TECHNICIANS, WHO HAVE A COMMON BOND RELATING TO UNFAIR TREATMENT FOR THEIR PRIOR SERVICE TO OUR NATION. WE HAVE JOINED TOGETHER TO FORM THE "EQUITY FOR FORMER GUARD TECHNICIANS GROUP". WE REPRESENT INDIVIDUALS IN 44 STATES AND THE DISTRICT OF COLUMBIA. EACH FORMER TECHNICIAN CERTAINLY APPRECIATES THE EFFORTS OF CONGRESSMAN MONTGOMERY AND THE HOUSE OF REPRESENTATIVES FOR APPROVING AN AMENDED H.R. 3006. WE ALSO APPRECIATE THE TIME THIS SUBCOMMITTEE IS PROVIDING TO PERMIT DISCUSSIONS CONCERNING THE INEQUITY WHICH THE ORIGINAL H.R. 3006 WAS DESIGNED TO CORRECT.

THE FIRST PART OF THIS DISCUSSION IS AN ATTEMPT TO PROVIDE BACKGROUND INFORMATION ON NATIONAL GUARD TECHNICIANS. IN THE 1940s, 50s, and 60s, GUARD TECHNICIANS WERE CIVILIAN EMPLOYEES OF THE AIR AND ARMY NATIONAL GUARD IN EVERY STATE AND THE DISTRICT OF COLUMBIA. WHILE THE MILITARY MEMBERS OF THE NATIONAL GUARD WERE KNOWN AS CITIZEN SOLDIERS OR WEEKEND WARRIORS IN MANY NEWS ARTICLES, THERE WAS GENERALLY VERY LITTLE PUBLICITY ABOUT THE NATIONAL GUARD TECHNICIANS.

THESE TECHNICIANS WERE INDIVIDUALS WHO PROVIDED THE DAY-TO-DAY SUPPORT SERVICES NECESSARY TO KEEP THE NATIONAL GUARD READY TO SERVE IN A VARIETY OF FEDERAL AND STATE ROLES. NATIONAL GUARD TECHNICIANS MAINTAINED THE AIRCRAFT, TANKS, WEAPONS, AMMUNITION, TRUCKS AND OTHER MILITARY EQUIPMENT; PREPARED TRAINING PROGRAMS; KEPT RECORDS AND PROVIDED NUMEROUS SERVICES WHICH ESTABLISHED CONTINUITY AND PERMITTED THE GUARD TO BE AN OPERATIONAL ELEMENT OF THE STATE MILITIA AND THE TOTAL FORCE OF OUR NATION'S MILITARY SERVICES.

SINCE WORLD WAR II, MANY THOUSANDS OF INDIVIDUALS HAVE SERVED THIS NATION AS NATIONAL GUARD TECHNICIANS. SOME SERVED FOR ONLY A SHORT TIME WHILE OTHERS MADE TECHNICIAN SERVICE A CAREER.

THESE FORMER NATIONAL GUARD TECHNICIANS REMEMBER THE SITUATIONS FACED BY THE GUARD, AFTER WORLD WAR II AND THE KOREAN CALLUP LEFT MOST GUARD UNITS WITH SIGNIFICANT RECRUITING AND RETENTION PROBLEMS. THE GUARD IS WHAT IT IS TODAY -- A HIGHLY TRAINED, WELL QUALIFIED, PROFESSIONAL MILITARY FORCE -- LARGELY BECAUSE DEDICATED NATIONAL GUARD TECHNICIANS IN EACH STATE SPENT MANY HOURS ASSISTING IN THE REBUILDING PROCESS. THESE FORMER TECHNICIANS REMEMBER THE REFRAIN -- ONCE A GUARDSMAN, ALWAYS A GUARDSMAN. THESE DEDICATED AMERICANS

AND VETERANS STILL CONSIDER THEMSELVES TO BE "GUARDSMEN". THEY WERE AND ARE A PART OF THE PROUD HISTORY AND TRADITION OF THE NATIONAL GUARD OF THE UNITED STATES.

THE EQUITY GROUP ADOPTED A VERY DISTINCTIVE LETTERHEAD FOR USE IN OUR EFFORT TO CONVEY THE MESSAGE FOR EQUITY. TO INDICATE THE PATRIOTISM AND DISTINCTION OF HAVING BEEN MEMBERS OF THE UNITED STATES BEST -- THE NATIONAL GUARD -- THE GROUP OF FORMER TECHNICIANS CHOSE A VERY DISTINCTIVE LETTERHEAD DEPICTING THE MINUTEMAN. THIS 'MINUTEMAN' SERVES AS A REMINDER THAT OUR MEMBERS WERE AN IMPORTANT PART OF THIS NATION'S READY RESERVE FORCE. -- A REMINDER THAT THESE FORMER NATIONAL GUARD TECHNICIANS SERVED OUR NATION DURING SOME CRITICAL REBUILDING EFFORTS WHICH FACED THE NATIONAL GUARD IN THE 1940s, 50s, and 60s. THERE IS AND HAS BEEN NO VALID REASON FOR EXCLUDING THE SERVICE OF THESE VETERANS AND FORMER TECHNICIANS FROM FEDERAL CIVIL SERVICE CREDIT -- ESPECIALLY ON THE BASIS OF AN ARBITRARY REQUIREMENT FOR AT LEAST ONE DAY OF TECHNICIAN SERVICE ON OR AFTER JANUARY 1, 1969. CREDITABLE FEDERAL CIVIL SERVICE FOR ONE INDIVIDUAL IN THE 1950s SHOULD BE CREDITABLE CIVIL SERVICE FOR EVERY INDIVIDUAL WITH A SIMILAR APPOINTMENT AS A NATIONAL GUARD TECHNICIAN.

THE CURRENT NATIONAL GUARD TECHNICIAN ACT DISCRIMINATES AGAINST THESE FORMER GUARD TECHNICIANS AND IGNORES THEIR SIGNIFICANT CONTRIBUTIONS. THESE INDIVIDUALS SERVED OUR NATION HONORABLY AS GUARD TECHNICIANS. HOWEVER, BECAUSE OF THE COMPROMISE WORDING OF THE NATIONAL GUARD TECHNICIAN ACT OF 1968, THESE INDIVIDUALS RECEIVE NO FEDERAL CIVIL SERVICE CREDIT FOR THE TIME THEY SERVED

AS NATIONAL GUARD TECHNICIANS. BASED UPON EXTENSIVE RESEARCH WE HAVE BEEN UNABLE TO FIND ANY SIMILAR RESTRICTIONS CONCERNING THE PERFORMANCE OF THE SAME TYPE OF SERVICE, PREFORMED AT THE SAME TIME, BEING CREDITABLE SERVICE FOR SOME INDIVIDUALS AND DENIED TO OTHERS ON THE BASIS OF ONE DAY'S SERVICE.

IT WAS PROPER THAT NATIONAL GUARD TECHNICIAN SERVICE BE CREDITABLE FOR FEDERAL CIVIL SERVICE. HOWEVER, THIS CIVIL SERVICE CREDIT SHOULD NOT BE DENIED TO ANYONE -- WHETHER THEY WORKED ONE OR MORE DAYS AS A TECHNICIAN ON OR AFTER JANUARY 1, 1969, OR ANY OTHER DATE. CREDITABLE SERVICE FOR DUTY PERFORMED AS A GUARD TECHNICIAN FOR ONE INDIVIDUAL SHOULD BE CREDITABLE SERVICE FOR OTHERS.

PERHAPS YOU MAY WONDER WHY IT IS NECESSARY FOR FORMER GUARD TECHNICIANS TO BE HERE TODAY SEEKING EQUITY. WHY ARE WE HERE SPEAKING WITH YOU TODAY? THE ANSWER IS VERY SIMPLE -- WE WERE NOT PROVIDED EQUITABLE TREATMENT WHEN THE NATIONAL GUARD TECHNICIAN ACT WAS APPROVED.

BEFORE 1969, A GREAT DEAL OF CONFUSION EXISTED AS TO THE EMPLOYMENT STATUS OF TECHNICIANS. THE MOST FREQUENT QUESTION WAS -- WERE THEY FEDERAL EMPLOYEES OR STATE EMPLOYEES? THEIR SALARY WAS PAID BY CONGRESSIONALLY APPROPRIATED FUNDS FROM THE FEDERAL GOVERNMENT AND THEY WERE SUBJECT TO REGULATIONS ESTABLISHED BY THE NATIONAL GUARD BUREAU, AN ELEMENT OF THE DEPARTMENT OF THE ARMY AND AIR FORCE. A NUMBER OF COURTS RULED THAT TECHNICIANS WERE FEDERAL EMPLOYEES FOR CERTAIN PURPOSES. HOWEVER, PRIOR TO 1969, THE FEDERAL GOVERNMENT (IN GENERAL) REGARDED NATIONAL GUARD TECHNICIANS

AS STATE, RATHER THAN FEDERAL EMPLOYEES, WHILE SOME JURISDICTIONS LABELED THE NATIONAL GUARD TECHNICIANS AS FEDERAL EMPLOYEES. FOR EXAMPLE, TECHNICIANS SERVING IN THE DISTRICT OF COLUMBIA GUARD WERE FEDERAL EMPLOYEES, WHILE MARYLAND AND VIRGINIA GUARD TECHNICIANS WERE CONSIDERED TO BE STATE EMPLOYEES.

THIS CONFUSION AND THE NEED FOR A CLEAR DISTINCTION OF TECHNICIAN STATUS BECAME SO GREAT, THAT IN 1968, THE CONGRESS ACTED TO PLACE ALL NATIONAL GUARD TECHNICIANS UNDER THE FEDERAL CIVIL SERVICE SYSTEM. ALL TECHNICIAN SERVICE WAS DEEMED CREDITABLE FOR PURPOSES OF CIVIL SERVICE STATUS AND TENURE, INCLUDING PRIOR TECHNICIAN SERVICE, BUT ONLY FOR INDIVIDUALS WHO SERVED AS TECHNICIANS FOR AT LEAST ONE DAY ON OR AFTER JANUARY 1, 1969.

SOMEHOW, IN THE DELIBERATION AND SPECIAL NEGOTIATIONS REQUIRED TO OBTAIN SUFFICIENT VOTES TO APPROVE THE NATIONAL GUARD TECHNICIAN ACT, TWO SPECIAL COMPROMISES WERE MADE. ONE COMPROMISE PROVIDED FOR GRANTING FEDERAL CIVIL SERVICE CREDIT ONLY TO THOSE INDIVIDUALS WHO WERE SERVING OR WOULD SERVE FOR AT LEAST ONE DAY AS A GUARD TECHNICIAN ON OR AFTER JANUARY 1, 1969. ANOTHER COMPROMISE WAS TO PROVIDE ONLY 55 PERCENT CREDIT FOR TECHNICIAN SERVICE BEFORE JANUARY 1, 1969. AN AMENDMENT WAS INTRODUCED IN 1975 TO REMOVE THESE TWO RESTRICTIONS AND PERMIT TECHNICIAN SERVICE TO COUNT FOR 100 PERCENT CREDIT. UNFORTUNATELY, WHEN THE DISCUSSIONS WERE ON THE TOPIC OF REMOVING THE REQUIREMENT FOR AT LEAST ONE DAY OF TECHNICIAN SERVICE TO BE ON OR AFTER JANUARY 1, 1969, THERE WAS NO VALID DATA RELATING TO THE NUMBER OF FORMER TECHNICIANS AND THE POTENTIAL COST THAT WOULD BE INCURRED BY REMOVING THE JANUARY 1, 1969 RESTRICTION. THEREFORE, IN THE ABSENCE OF VALID COST DATA, THE RESTRICTION WAS RETAINED.

THIS ARBITRARY CUTOFF DATE OF JANUARY 1, 1969, WAS ORIGINALLY ESTABLISHED TO AVOID PROVIDING FEDERAL CIVIL SERVICE CREDIT TO AN UNKNOWN NUMBER OF PRIOR TECHNICIANS WHO HAD LEFT THE GUARD BEFORE JANUARY 1,1969. ACCORDING TO SOME OF THE DOCUMENTED TESTIMONY IN 1968, THIS CUTOFF DATE WOULD AVOID PAYING BENEFITS TO THOSE WHO HAD LEFT THE GUARD FOR BETTER OPPORTUNITIES ELSEWHERE IN THE PRIVATE SECTOR.

HOWEVER, THE TESTIMONY AND THE WORDING OF THE ACT EXCLUDE FORMER TECHNICIANS WHO DESERVE CIVIL SERVICE CREDIT, BUT WHO WERE EXCLUDED ARBITRARILY. THESE ARE FORMER TECHNICIANS WHO LEFT GUARD TECHNICIAN SERVICE, BUT CONTINUED TO SERVE OUR NATION IN FEDERAL JOBS. THESE INDIVIDUALS ACCEPTED OTHER FEDERAL JOBS BEFORE 1969, OR HAVE BEEN EMPLOYED BY OTHER FEDERAL AGENCIES SINCE JANUARY 1969. THESE FORMER GUARD TECHNICIANS WERE GIVEN NO CREDIT FOR THEIR PRIOR TECHNICIAN SERVICE.

IT WOULD BE APPROPRIATE TO MENTION THE REASON MANY FORMER NATIONAL GUARD TECHNICIANS LEFT THEIR EMPLOYMENT STATUS AS GUARD TECHNICIANS. DURING THE 1940s, 50s, and 60s, THERE WERE NUMEROUS REORGANIZATIONS WITH CHANGES IN THE TECHNICIAN MANNING DOCUMENTS, WHICH ABOLISHED CERTAIN TECHNICIAN POSITIONS, AND SOMETIMES CREATED NEW POSITIONS REQUIRING DIFFERENT SKILLS. -- THE ARMY AND AIR FORCE HAD TECHNICIAN PROGRAMS WHICH ATTRACTED SOME GUARD TECHNICIANS TO CHANGE EMPLOYMENT. -- OTHER STATE AND FEDERAL AGENCIES OFFERED OPPORTUNITIES. THERE WERE NUMEROUS REASONS FOR THE CHANGES WHICH TOOK PLACE IN THE NATIONAL GUARD TECHNICIAN WORKFORCE.

YOU MAY NOT FULLY UNDERSTAND OR APPRECIATE WHY WE FEEL THAT THE WORDING OF THE NATIONAL GUARD TECHNICIAN ACT IS INEQUITABLE. LET ME TRY TO SPEAK TO THIS ISSUE. WHEN OTHER GROUPS, WHOSE MEMBERS WERE AT SOME POINT BROUGHT INTO THE FEDERAL CIVIL SERVICE SYSTEM, BOTH BEFORE AND AFTER 1968, ALL INDIVIDUALS WITH THE SAME TYPE OF SERVICE BEING CREDITED HAVE HISTORICALLY BEEN GRANTED CREDIT FOR THEIR PAST SERVICE WHEN EMPLOYED BY OTHER FEDERAL AGENCIES UNDER THE FEDERAL CIVIL SERVICE SYSTEM.

SINCE THE FEDERAL CIVIL SERVICE SYSTEM WAS ESTABLISHED, NUMEROUS GROUPS HAVE BEEN BROUGHT UNDER THE FEDERAL SYSTEM AND GRANTED FULL CREDIT FOR PREVIOUS SERVICE. HOWEVER, WHEN NEARLY 40,000 NATIONAL GUARD TECHNICIANS WERE GIVEN FEDERAL CIVIL SERVICE CREDIT, APPROXIMATELY 300 FORMER NATIONAL GUARD TECHNICIANS WERE EXCLUDED FROM RECEIVING CIVIL SERVICE CREDIT ON THE BASIS OF A REQUIREMENT FOR AT LEAST ONE DAY OF TECHNICIAN SERVICE AFTER JANUARY 1, 1969. IF NATIONAL GUARD TECHNICIAN SERVICE IS CREDITABLE FOR ONE INDIVIDUAL, IT SHOULD BE CREDITABLE FOR OTHERS. FORMER GUARD TECHNICIAN SERVICE SHOULD BE CREDITABLE CIVIL SERVICE FOR ANYONE APPOINTED OR SERVING OUR NATION IN ANY OTHER FEDERAL STATUS SINCE JANUARY 1969.

A GOOD EXAMPLE OF GROUPS BROUGHT UNDER FEDERAL CIVIL SERVICE ARE THE FORMER EMPLOYEES OF RADIO FREE EUROPE, RADIO FREE ASIA AND THE ARMED FORCES NETWORK. THESE INDIVIDUALS WERE GRANTED FEDERAL CIVIL SERVICE CREDIT BY CONGRESS IN 1981. THE ONLY REQUIREMENT TO RECEIVE THIS CREDIT WAS TO SERVE IN ANOTHER FEDERAL POSITION COVERED BY THE FEDERAL CIVIL SERVICE SYSTEM FOR AT LEAST ONE SUBSEQUENT YEAR. OTHER EXAMPLES INCLUDE PEACE CORPS VOLUNTEERS AND THE UNITED STATES CAPITOL GUIDES.

NONE WERE REQUIRED TO SERVE AT LEAST ONE DAY AFTER 1981 IN RADIO FREE EUROPE, PEACE CORPS, OR AS UNITED STATES CAPITOL GUIDES. ALL WERE GIVEN FEDERAL CIVIL SERVICE CREDIT FOR ALL PRIOR SERVICE WHEN APPOINTED TO ANOTHER FEDERAL POSITION. THE NATIONAL GUARD TECHNICIAN ACT RELATING TO FORMER NATIONAL GUARD TECHNICIANS IS AN EXAMPLE WHERE CONGRESS UNFORTUNATELY DEVIATED FROM THIS PRACTICE. THE ACT SHOULD HAVE PERMITTED CIVIL SERVICE CREDIT TO ANY FORMER NATIONAL GUARD TECHNICIAN WHO WAS APPOINTED OR SERVED IN ANOTHER FEDERAL POSITION COVERED BY THE FEDERAL CIVIL SERVICE SYSTEM.

THIS INEQUITY AND OVERSIGHT HAS RESULTED IN A SERIES OF SPECIAL EXCEPTIONS AND ABUSES. FOR EXAMPLE, THERE IS A DOCUMENTED SITUATION WHERE A FORMER TECHNICIAN, WITH THE NECESSARY CONTACTS WITHIN A STATE GUARD, WAS ABLE TO OBTAIN THE NECESSARY PAPERS TO ACQUIRE A ONE-DAY APPOINTMENT AS A TECHNICIAN, AFTER 1969. THIS INDIVIDUAL RECEIVED RETROACTIVE CREDIT WITHOUT EVEN BOTHERING TO SHOW UP FOR WORK IN THAT STATE.

SINCE JANUARY 1969, INDIVIDUALS AND SMALL COMPONENTS OF OUR GROUP HAVE MADE A SERIES OF EFFORTS TO CHANGE THE EXISTING LAW SO AS TO CORRECT WHAT WE CONSIDER A SERIOUS INJUSTICE. VARIOUS BILLS HAVE BEEN INTRODUCED IN BOTH THE HOUSE AND IN THE SENATE SINCE THE 92ND CONGRESS. ADDITIONALLY, A PROPOSED RIDER TO AN APPROPRIATION MEASURE WOULD HAVE CORRECTED THE INEQUITY. HOWEVER, THE INEQUITY CONTINUES AND IT IS CERTAINLY TIME TO RIGHT THE WRONG -- CORRECT THE ACT TO ELIMINATE THE INEQUITY.

ONE NOTABLE EXAMPLE OF A PREVIOUS EFFORT TO CORRECT THE INEQUITY WAS H.R. 100, WHICH WAS INTRODUCED AND LATER ENACTED INTO LAW IN 1975. WHILE ITS PRINCIPAL PURPOSE WAS TO GRANT FULL (100%) CIVIL SERVICE CREDIT TO NATIONAL GUARD TECHNICIANS, IT ALSO, AS ORIGINALLY DRAFTED, MADE PROVISIONS FOR GRANTING FEDERAL CIVIL SERVICE CREDIT TO THOSE FORMER TECHNICIANS WHO CONTINUED IN OTHER FEDERAL SERVICE. (SEE HOUSE REPORT NO. 94-461)

HEARINGS ON H.R. 100 WERE HELD BY THE HOUSE SUBCOMMITTEE ON RETIREMENT AND EMPLOYEE BENEFITS IN JULY, 1975. SPOKESMEN FOR BOTH THE CIVIL SERVICE COMMISSION AND THE NATIONAL GUARD BUREAU OF THE UNITED STATES APPEARED AND STATED THAT WHILE THE NUMBER OF FORMER PRE-1969 TECHNICIANS WHO HAD SUBSEQUENT FEDERAL SERVICE WAS MINISCULE, IT WAS NONETHELESS INDETERMINATE AND NO COST FIGURES WERE AVAILABLE, AND THEREFORE, THEY SUPPORTED DELETION OF THE RETROACTIVE PROVISIONS OF H.R. 100. SUPPORT FOR THOSE PROVISIONS WAS VOICED BY SEVERAL MEMBERS OF CONGRESS. HOWEVER, H.R. 100 SUBSEQUENTLY PASSED, WITH THE PROVISIONS TO CORRECT THE INEQUITY DELETED. THE INEQUITY PERSISTS TO THIS DAY.

TO END THE INEQUITY, WE STRONGLY SUPPORTED H.R. 3006 INTRODUCED BY REPRESENTATIVE C. V. (SONNY) MONTGOMERY (D-MS.) AND A COMPANION BILL, S.1259, INTRODUCED BY THE HONORABLE STROM THURMOND. THIS LEGISLATION WOULD CORRECT THE INEQUITY AND PROVIDE FEDERAL CIVIL SERVICE CREDIT TO FORMER NATIONAL GUARD TECHNICIANS WHO HAVE FEDERAL SERVICE SUBSEQUENT TO JANUARY 1, 1969.

THIS WOULD CORRECT AN OBVIOUS INEQUITY, SIMILAR TO THE PRACTICE CONGRESS HAS UTILIZED WHEN PERMITTING FEDERAL CIVIL SERVICE CREDIT FOR SERVICE TO OUR NATION, WHEN OTHER GROUPS WERE BROUGHT UNDER THE SYSTEM.

OUR GROUP OF FORMER TECHNICIANS ARE NOT ASKING FOR A SPECIAL HANDOUT -- RATHER WE ARE PLEAING FOR THIS COMMITTEE'S ASSISTANCE IN CORRECTING A WRONG -- TO PROVIDE EQUITABLE AND APPROPRIATE RECOGNITION AND FEDERAL CIVIL SERVICE CREDIT FOR TECHNICIANS WHO SERVED OUR NATION BY PROVIDING HONORABLE AND DEDICATED SERVICE IN THEIR DUTIES AS NATIONAL GUARD TECHNICIANS PRIOR TO JANUARY 1, 1969 -- BUT WHO, FOR VARIOUS REASONS PERFORMED NO GUARD TECHNICIAN SERVICE SINCE JANUARY 1, 1969. PLEASE HOLD IN MIND, THE MEMBERS OF OUR GROUP HAVE CONTINUED TO SERVE OUR NATION IN A VARIFTY OF FEDERAL AGENCIES SINCE JANUARY 1969, BUT RECEIVE NO CREDIT FOR THE TECHNICIAN SERVICE PRIOR TO 1969.

FAILURE TO PROVIDE ALL FORMER GUARD TECHNICIANS THE SAME BENEFITS UNDER THE LAW IS MOST DISCRIMINATORY. THE ARBITRARILY SELECTED DATE OF JANUARY 1, 1969, IS UNREALISTIC. ALL FORMER GUARD TECHNICIANS SHOULD RECEIVE THE SAME CIVIL SERVICE TENURE AND STATUS AND BENEFITS (WITHOUT REGARD TO THE DATES OF THEIR GUARD TECHNICIAN EMPLOYMENT).

WE FIRMLY BELIEVE THE EQUITABLE ACTION TO BE TAKEN IS AN AMENDMENT TO THE NATIONAL GUARD TECHNICIAN ACT. THIS AMENDMENT SHOULD PROVIDE FOR ACCORDING THE SAME STATUS, CREDIT, AND RECOGNITION UNDER FEDERAL CIVIL SERVICE TO ALL GUARD TECHNICIANS WHO HAVE SERVED THIS NATION IN ANY FEDERAL AGENCY SINCE JANUARY 1, 1969.

WE BELIEVE THE ORIGINAL H.R. 3006 AND ITS COMPANION BILL (S.1259) IS PROPERLY WORDED TO CORRECT THE SITUATION. H.R. 3006 WOULD SPECIFICALLY PERMIT CREDIT TO FORMER GUARD TECHNICIANS WHO SERVED OUR NATION IN A POSITION UNDER THE FEDERAL CIVIL SERVICE SYSTEM. IT WILL SERVE TO AMEND THE EXISTING LAW TO BRING IT INTO LINE WITH PRIOR LEGISLATIVE PRACTICE, AND IT IS THE "EQUITABLE" THING TO DO. ANYTHING LESS WOULD CONTINUE THE INEQUITY AND THE HARDSHIPS OF THE PAST 18 YEARS FOR APPROXIMATELY 300 INDIVIDUALS.

ON THE AVERAGE, THESE FORMER NATIONAL GUARD TECHNICIANS ARE OR WILL BE ENTITLED TO APPROXIMATELY SEVEN AND A HALF YEARS OF FEDERAL CIVIL SERVICE CREDIT, IF H.R. 3006 BECOMES LAW.

THANK YOU MR CHAIRMAN, BOTH FOR ME PERSONALLY AND ON BEHALF OF THE "EQUITY FOR FORMER GUARD TECHNICIANS" ORGANIZATION. I SINCERELY APPRECIATE THE OPPORTUNITY TO TESTIFY IN SUPPORT OF H.R. 3006. MEMBERS OF THE GROUP WHO ACCOMPANIED ME, AND I, WILL BE PLEASED TO ANSWER ANY QUESTIONS YOU OR ANY OTHER MEMBER OF THE SUBCOMMITTEE MAY HAVE.

EQUITY
FOR FORMER GUARD TECHNICIANS
P. O. BOX 8744
BALTIMORE/WASHINGTON
INTERNATIONAL AIRPORT
BALTIMORE, MD. 21240

EXHIBITS TO ACCOMPANY ORAL TESTIMONY

ON

H. R. 3006

A - Letter, Public Employees' Retirement System, State of California, dated July 22, 1969.

B - Extract of Letter, U. S. Civil Service Commission, dated Jun 11, 1975.

C - The Equity Group Steering Committee, dated September 1, 1986.

D - Letter, Office of the General Counsel, Department of Defense, dated December 10, 1985, with proposed Response to the Chairman of the Armed Services Committee of the U. S. Senate.

E - Extract of S. 2638, 99th Congress.

F - Roster of Cosponsors to S. 1259 and H. R. 3006, dated August 1, 1986.

G - Alphabetical Roster of Former National Guard Technicians, dated September 12, 1986.

H - Roster of Former National Guard Technicians By State, dated September 12, 1986.

I - Estimates of Costs Associated with Passage of S. 1259 or H. R. 3006, as Introduced, dated September 14, 1986.

EXHIBIT A

STATE OF CALIFORNIA

RONALD REAGAN, Governor

PUBLIC EMPLOYEES' RETIREMENT SYSTEM
416 NINTH STREET, P. O. BOX 1953
SACRAMENTO, CALIFORNIA 95809

Reply to Section 5-RMC

STANLEY B. FOWLER, President
OTTO PALOMBO, Vice President
DR. LESTER BRESLOW
DONALD GALLAGHER
ROBERT B. HEADLEY
A. W. "JOE" HISLOP
WILLIAM G. MAAS
LUCY E. RITTER
JAMES A. TAYLOR
CASPAR W. WEINBERGER
JOSEPH L. WYATT, JR.

July 22, 1969

Mr. Cecil E. Pollard
2204-B 48th Street
Los Alamos, New Mexico 87544

Dear Mr. Pollard:

Employees of the California Air National Guard at the time you were so employed were not subject to membership in Public Employees' Retirement System. The source of the salary fund was Federal and the employees were considered Federal employees, in the view of the State of California Retirement System. We understand these employees are subject to the Federal Civil Service System since January 1, 1969.

There is no provision of law under which you could receive credit for that service in the Public Employees' Retirement System.

Yours truly,

Roberta M. Cournoyer

(MRS.) ROBERTA M. COURNOYER
RETIREMENT OFFICER
MEMBERSHIP DIVISION

RMC:mp

EXHIBIT B

U. S. CIVIL SERVICE COMMISSION
Washington, D. C.

June 11, 1975

Hon. David N. Henderson, Chairman
Committee on Post Office and Civil Service
House of Representatives
Washington, D. C.

Dear Mr. Chairman:

This is in further reply to your request for the Commission's view on H. R. 180, a bill "To amend title 5, United States Code, to correct certain inequities in the crediting of National Guard technician service in connection with civil service retirement, and for other purposes."

E-X-T-R-A-C-T

. . . . "We are unable to determine the number of former technicians who were separated from the technician program prior to January 1, 1969, but who are, or will be, employed in civil service covered positions on and after this date and will under H. R. 180 receive retirement credit for their post technician service. We cannot, therefore, estimate the cost of providing retirement credit to these people for their post technician service."

E-X-T-R-A-C-T

By direction of the Commission:

Sincerely yours,

Jayne B. Spain
Chairman

EXHIBIT C

THE EQUITY GROUP STEERING COMMITTEE

September 1, 1986

BRUCE, Melvin T.__________P.O. Box 620, Washington, DC 20044
Bus: 202-566-7560 Res: 703-527-1167 FTS: 566-7560
BURGWALD, George G.______890 N. Lexington St., Arlington, VA 22205
Bus: 202-981-4956 Res: 703-528-7487
CIMMINO, Joseph A.________19304 Richwood Court, Brookeville, MD 20833
Bus: 301-859-6595 Res: 301-774-0900 AV: 235-0111 (Must Ask Operator for FRIENDSHIP Extension 6595)
HOUSER, John S.___________420 Cedar Spring Road, Bel Air, MD 21014
Bus: 301-278-2627 Res: 301-838-3001 AV: 298-2627/3087
KELLER, "Curt"____________4313 Rolling Stone Way, Alexandria, VA 22306
Bus: 202-695-0990 Res: 703-765-3693 AV: 225-0990
MOONEY, James M.__________8600 Battailes Court, Annandale, VA 22003
Bus: 202-227-2270 Res: 703-978-6260
NEWSOM, James B. ________13700 Penwith Court, Chantilly, VA 22021-3437
Bus: 703-556-2972 Res: 703-378-1263
PETRONE, James M.________133 Nittany Drive, Mechanicsburg, PA 17055
Bus: 717-782-6904/6937 Res: 717-697-0022 AV: 977-6904-6937
POST, George A.___________4820 8th Street, N. W., Washington, DC 20011
Bus: 202-694-4730 Res: 202-882-2160 AV: 224-4730
RAND, David ______________6407 Eastleigh Court, Springfield, VA 22152
Bus: 202-673-5366 Res: 703-451-9200 FTS: 634-7469
SHUCK, Robert ____________3603 Belin Court, Annandale, VA 22003
Bus: 202-389-2912 Res: 703-573-6087
SPRANKLE, Herbert H. Jr. 3 Forest Drive, Catonsville, MD 21228
Bus: 301-688-6944 Res: 301-744-7359 AV: 235-6944
YOUNG, James N. __________6803 Rivanna Drive, Springfield, VA 22150
Bus: 202-475-1050 Res: 703-971-1916 AV: 335-1050

STEERING COMMITTEE REGIONAL REPRESENTATIVES

REGION 1 - Curt Keller: CT, ME, MA, NH, NJ, NY, PA, RI, VI

REGION 2 - Jim Newsom: DE, FL, GA, MD, NC, SC, VA, WV

REGION 3 - Mel Bruce: IL, IN, MI, MO, OH, WI

REGION 4 - Herb Sprankle: AL, AR, KY, LA, MS, OK, TN, TX

REGION 5 - George Post: AK, HI, ID, IA, MN, MT, NE, ND, OR,
SD, WA, WY

REGION 6 - Jack Houser: AZ, CA, CO, KS, NV, NM, UT

EXHIBIT D

DEPARTMENT OF DEFENSE
OFFICE OF GENERAL COUNSEL
WASHINGTON DC 20301

December 10, 1985

Honorable James C. Miller III
Director, Office of Management
  and Budget
Washington, D.C. 20503

Dear Mr. Miller:

The views of the Department of Defense have been requested on S. 1259, 99th Congress, a bill, "To correct certain inequities by providing Federal civil service credit for retirement purposes and for the purpose of computing length of service to determine entitlement to leave, compensation, life insurance, health benefits, severance pay, tenure, and status in the case of certain individuals who performed service as National Guard Technicians before January 1, 1969."

Advice is requested as to whether there is objection to the presentation of the attached report to the Committee.

Sincerely,

Werner Windus

Werner Windus
Director
Legislative Reference Service

Enclosure

GENERAL COUNSEL OF THE DEPARTMENT OF DEFENSE
WASHINGTON D.C. 20301

Honorable Barry Goldwater
Chairman, Committee on Armed Services
United States Senate
Washington, D.C. 20510

Dear Mr. Chairman:

Reference is made to your request for the views of the Department of Defense on S. 1259, 99th Congress, a bill "To correct certain inequities by providing Federal civil service credit for retirement purposes and for the purpose of computing length of service to determine entitlement to leave, compensation, life insurance, health benefits, severance pay, tenure, and status in the case of certain individuals who performed service as National Guard Technicians before January 1, 1969."

The Department of Defense would have no objection to the enactment of S. 1259.

The Office of Management and Budget advises that, from the standpoint of the Administration's program, there is no objection to the presentation of this report for the consideration of the Committee.

Sincerely,

II

EXHIBIT E

Calendar No. 713

99TH CONGRESS
2D SESSION

S. 2638

[Report No. 99–331]

To authorize appropriations for military functions of the Department of Defense and to prescribe military personnel levels for such Department for fiscal year 1987, to revise and improve military compensation programs, to improve defense procurement procedures, to authorize certain construction at military installations for fiscal year 1987, to authorize appropriations for national security programs of the Department of Energy for fiscal year 1987, and for other purposes.

IN THE SENATE OF THE UNITED STATES

JULY 8, 1986

Mr. GOLDWATER, from the Committee on Armed Services, reported, under authority of the order of the Senate of June 27 (legislative day, June 23), 1986, the following original bill; which was read twice and placed on the calendar

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A BILL

To authorize appropriations for military functions of the Department of Defense and to prescribe military personnel levels for such Department for fiscal year 1987, to revise and improve military compensation programs, to improve defense procurement procedures, to authorize certain construction at military installations for fiscal year 1987, to authorize appropriations for national security programs of the

* * * * * * *

SEC. 634. IMPROVED EMPLOYMENT OPPORTUNITIES FOR MILITARY SPOUSES

(a) In General.—Section 806(b)(2) of the Department of Defense Authorization Act, 1986 (Public Law 99–145; 99 Stat. 680) is amended by striking out "GS–7" and inserting in lieu thereof "GS–4".

(b) Effective Date.—The amendment made by subsection (a) shall take effect on October 1, 1986, or on the date of the enactment of this Act, whichever is later.

SEC. 635. RETIREMENT CREDIT FOR CERTAIN FORMER NATIONAL GUARD TECHNICIANS

(a) In General.—(1) Section 8332(b) of title 5, United States Code, is amended by striking out the next to the last sentence.

(2) Section 3(c) of the National Guard Technicians Act of 1968 (32 U.S.C. 709 note) is amended by striking out the last sentence.

(b) Application of Subsection (a).—(1) Except as provided in paragraph (2), the amendment made by subsection (a)(1) applies only with respect to individuals separated from Government employment on or after the date of the enactment of this Act.

(2)(A) In the case of any individual who—

(i) was employed under section 709 of title 32, United States Code, or under any prior corresponding provision of law, before January 1, 1969; and

(ii) was separated from Government employment on or after January 1, 1969, and before the date of the enactment of this Act,

any annuity under subchapter III of chapter 83 of title 5, United States Code, based on such individual's service (as defined in section 8331(12) of such title) shall be redetermined to take into account the amendment made by subsection (a), if application therefor is received by the Office of Personnel Management within one year after the date of the enactment of this Act.

(B) Any change in an annuity resulting from a redetermination under subparagraph (A) shall apply only with respect to monthly payments accruing after the date of the enactment of this Act.

(C) Any individual described in subparagraph (A) or any survivor of such an individual may make a deposit under section 8334(c) of title 5, United States Code, with respect to the service of such individual under section 709 of title 32, United States Code.

(3) Except as provided in paragraph (4), the amendment made by subsection (a)(2) applies only with respect to an individual performing service as an officer or employee of the Government on or after the date of the enactment of this Act and only for the purpose of determining—

(A) any annual leave accruing under section 6303 of title 5, United States Code, to the individual on or after such date; and

(B) the individual's length of service for the purposes of entitlement to Federal employee death and disability compensation, group life insurance and health benefits, severance pay, tenure, and status.

(4)(A) The amendment made by subsection (a)(2) of this section applies with respect to any individual who separated from Government employment after December 31, 1968, and before the date of the enactment of this Act, for the purpose of determining whether such individual satisfies the length of service requirement under section 8901(3)(A) of title 5, United States Code (relating to the definition of the term "annuitant"), for the purposes of chapter 89 of such title.

(B) Any individual who satisfies the length of service requirement referred to in subparagraph (A) as a result of the application of the amendment made by subsection (a)(2) shall be enrolled in a health benefits plan (described in section 8903 of such title) of such individual's choice, if—

(i) application for enrollment is received by the Office of Personnel Management within one year after the date of the enactment of this Act; and

(ii) such individual qualifies under section 8905(b)(1)(A) of such title (taking into account years of service considered pursuant to subparagraph (A)).

SEC. 636. DEATH AND DISABILITY BENEFITS FOR RESERVE COMPONENT MEMBERS

(a) Medical and Dental Care for Reservists.—(1) Section 1074a of title 10, United States Code, is amended to read as follows:

"§ 1074a. Medical and dental care: members performing inactive duty training, active duty for 30 days or less, or other reserve training

"(a) Under joint regulations prescribed by the Secretary of Defense, the Secretary of Transportation, and the Secretary of Health and Human Services, the following persons are entitled to the benefits described in subsection (b):

"(1) Each member of a uniformed service who incurs, contracts, or aggravates an injury, disease, or illness in line of duty while performing inactive duty training, active duty for a period of 30 days or less, or full-time National Guard duty for a period of 30 days or less.

* * * * * * *

EXHIBIT F

COSPONSORS OF S. 1259:
(Introduced by Honorable Strom Thurmond (R-SC)+

Burdick (D-ND)
Ford (D-KY)
Glenn (D-OH)#+
Gramm (R-TX)+
Hatch (R-UT)
Heflin (D-AL)
Hollings (D-SC)
Inouye (D-HI)
Kassebaum (R-KS)
Kerry (D-MA)
Mathias (R-MD)#
Matsunaga (D-HI)
Melcher (D-MI)
Pressler (R-SD)
Reigle (D-MI)
Sarbanes (D-MD)
Warner (R-VA)+

COSPONSORS OF H. R. 3006:
(Introduced by Honorable G.V. (Sonny) Montgomery (D-5th MS)+

Ackerman (D-7th NY)*
Addabbo (D-6th NY)
Anderson (D-32d CA)
Applegate (D-18th OH)
Barnard (D-10th GA)
Barnes (D-8th MD)
Bateman (R-1st VA)+
Bedell (D-6th IA)
Bentley (R-2d MD)
Bevill (D-4th AL)
Biaggi (D-19th NY)
Blaz (R-Guam)+
Boxer (D-6th CA)
Burton (R-6th IN)*
Bustamante (D-23d TX)+
Byron (D-6th MD)+
Campbell (R-4th SC)
Chapman (D-1st TX)
Craig (R-1st ID)
Darden (D-7th GA)+
Daschle (R-1st SD)
Daub (R-2d NE)
Dellums (D-8th CA)+
de Lugo (D-V.I.)*
DeWine (R-7th OH)
Dymally (D-31st CA)*
Dyson (D-1st MD)+
Edgar (D-7th PA)
Evans (D-17th IL)
Fazio (D-4th CA)
Fish (R-21st NY)
Foglietta (D-1st PA)+
Frost (D-24th TX)
Garcia (D-18th NY)*
Gaydos (D-20th PA)
Gekas (R-17th PA)
Gilman (R-22d NY)*
Gingrich (R-6th GA)
Goodling (R-19th PA)
Gonzalez (D-20th TX)
Hartnett (R-1st SC)+
Hatcher (D-2d GA)
Heftel (D-1st HI)
Holt (R-4th MD)+
Hoyer (D-5th MD)
Hunter (R-45th CA)+
Hutto (D-1st FL)+
Jeffords (R-1st VT)
Kanjorski (D-11th PA)
Kasich (R-12th OH)+
Kindness (R-8th OH)
Kostmayer (D-8th PA)
LaFalce (D-32d NY)
Lagomarsino (R-19th CA)
Leach (R-1st IA)
Leland (D-18th TX)*
Lightfoot (R-5th IA)
Livingston (R-1st LA)
Lloyd (D-3d IN)+
Matsui (D-3d CA)
McCloskey (D-8th IN)*
Mikulski (D-3d MD)
Miller, C. (R-10th OH)
Mineta (D-13th CA)
Mollohan (D-1st WV)
Myers (R-7th IN)*
Nielson (R-3d UT)
Olin (D-6th VA)
Ortiz (D-27th TX)+
Pashayan (R-17th CA)*
Penny (D-1st MN)
Petri (R-6th WI)
Price (D-21st IL)+
Ray (D-3d GA)+
Richardson (D-3d NM)
Roe (D-8th NJ)
Rose (D-7th NC)
Rowland, JR (D-8thGA)
Sikorski (D-2d MN)*
Stallings (D-2d ID)
Studds (D-10th MA)
Stump (R-3d AZ)+
Swindall (R-4th GA)
Synar (D-2d OK)
Tallon (D-6th SC)
Torres (D-34th CA)
Traficant (D-17th OH)
Walgren (D-18th PA)
Whitehurst (R-2d VA)+
Whitley (D-3d NC)
Wortley (R-27th NY)
Yatron (D-6th PA)*
Young, C. (R-8th FL)
Young, D. (R-1st AK)*
Young, R. (D-2d MO)

August 1, 1986

There are currently 95 cosponsors (Dems: 61 Reps: 34) for H. R. 3006, and 17 cosponsors (Dems: 11 Reps: 6) for S. 1259. Symbols:
- Indicates membership on the Governmental Affairs Committee.
* - Indicates membership on the Post Office and Civil Service Committee. + -Indicates membership on the Armed Services Committee.

EXHIBIT G

ALPHABETICAL ROSTER OF FORMER NATIONAL GUARD TECHNICIANS

9-12-86 AT 12:03 p.m.

Page 1

LAST NAME	FIRST NAME	MI	MAIL ADDRESS	CITY	ST	ZIP	STATUS
AA-DECEASED	NAMES		NOT DELIVERABLE - DECEASED		XD		
AA-DROPPED	NAMES		EMPLOYED AS TECHS OR RECD CREDIT		XA		
AA-DROPPED	NAMES		NOT DELIVERABLE - NO GOOD ADDRESS		XX		
Adams	James		32 Bosworth Lane	Willingboro	NJ	08046	PT Group
Adams	Norman	L.	Route 81, Box 654	Holt	MO	64048	New Jan 86
Addario	Francis	J.	18 Amber Street	Staten Island	NY	10306	
Aderholt	Kenneth		DECEASED - Was In -	Columbus, OH	XD		
Aherns	John	P.	DECEASED - Was In -	Davenport, IA	XD	52804	
Albertson	Robert		525 Burleigh Avenue	Norfolk	VA	23505	
Alsop	Elmeroy	C.	305 Hidden Lake Drive	Sanford	FL	32771	Retired
Altman	Thomas	R.	No Valid Address - Was In -	Roy, UT	XX	84067	
Ambrosino	Alphonse	A.	199 Pomona Street	Revere	MA	02151	
Ammon	Albert		1653 Hillsdale Avenue	Pittsburgh	PA	15216	Retired PT
Andrews	William	D.	4201 Dougherty Court	Virginia Beach	VA	23455	
Angel, Jr.	Thomas		17577 Grattel Avenue	Fraser	MI	48026	
Angus	Jerry	E.	11 Byers Avenue	Portsmouth	VA	23701	
Autrey, Jr.	Alvin	L.	Route 3, Box 394B	Cottondale	AL	35453	RetiredFAA
Bagwell	Howard	H.	Route 1	Elberton	GA	30635	PT Group
Bailey	Sam	S.	1701 Waverly Parkway	Opelika	AL	36801	
Baker	Elmore	W.	405 Ewing Street	Samson	AL	36477	Retired
Ball	Edwin	R.	2014 S. Meadowview	Springfield	MO	65804	
Ball	Loren		Route 2, Box 97	Sparta	WI	54656	Retired
Barrilleaux, Sr.	Melvin	J.	104 Ryan Street	Lafayette	LA	70501	Retired PT
Basham	Clarence	E.	336 General Arnold, N. E.	Albuquerque	NM	87123	PT Group
Bates	Frederick	L.	13 South Cobblers Court	Niantic	CT	06357	
Beck	Eldon	L.	1137 Memorial Drive	Macomb	IL	61455	PT Group
Bell	Lorraine	A.	50 Dianne Drive	Belleville	IL	62221	PT Group
Beville	Boyle	L.	1203 Covington Road	Colonial Hgts.	VA	23834	New Apr 86
Bivens	Charles	C.	P. O. Box 851	Wingate	NC	28174	PT Group
Black	Edward	L.	DECEASED - Was In -	Clermont, FL	XD		Deceased
Black, Jr.	Charles	B.	235 Cedar Lane	Mt. Holly	NC	28120	RetiredFAA
Blackmon	Julian	D.	1524 Kane Road	Charlotte	NC	28211	New Aug 85
Blanchard	Kerny	P.	4005 15th Street	Marrero	LA	70072	
Block	Joseph	D.	535 West Market Street	Williamstown	PA	17098	PT Group
Boatright	Jasper	W.	3300 Teakwood Road	Birmingham	AL	35226	New PendSF
Boogman	Rusty	L.	DECEASED - Was In -	Boise, ID	XD	83706	Died May86
Boles	John	S.	603 East 2nd Street	Belle Chasse	LA	70037	New PendSF
Bortsch	Edward	W.	Route 3, Box 228	Blythewood, SC	XA	29016	Got Credit
Boryan	Milan		2430 North Utah Street	Arlington	VA	22207	New PendSF
Bowie	Jimmie	W.	600 Saint Gabrielle Drive	Florissant	MO	63033	PT Group
Boyd	Paul	W.	940 Shades Glen Drive	Birmingham, AL	XA	35226	Got Credit
Bradford	Ray		DECEASED - Was In -	Columbus, OH	XD	43229	Deceased
Brasher	Kernal	R.	101 Carol Drive	Birmingham	AL	35215	
Briggs	Robt."Bud"	H.	1219 Garcia N. E.	Albuquerque	NM	87112	
Bright	Ernest	L.	1810 North Beal Street	Belton	TX	76513	PT Group +
Brooks	Carl	R.	7905 Stonehurst Drive	Indianapolis	IN	46256	New Jun 86
Broome	Calvin	G.	206 W. Martintown Road	N. Augusta	SC	29841	Retired
Brown	Benjamin		437 Rutgers Avenue	Chesapeake	VA	23324	New Sep 85
Brown, Jr.	James	L.	9529 Channing Lane	Richmond	VA	23235	Retired PT
Bruce	Melvin	T.	P. O. Box 628	Washington	DC	20044	PT Group

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LAST NAME	FIRST NAME	MI	MAIL ADDRESS	CITY	ST	ZIP	STATUS
Brumm	Clyde	C.	P. O. Box 486 180 West 6th Street	Roanoke	IN	46783	Retired PT
Buchanan	Jarvis	L.	8002 Hearne	Abilene	TX	79606	PT Group
Burgwald	George	G.	898 North Lexington Street	Arlington	VA	22204	PT Group
Cambio	John		7 Bardem Lane	Warren	RI	02885	Retired
Capezzuti	Nicholas	R.	152 Morrison Street	Struthers	OH	44471	New Nov 84
Carle	Earl	G.	1553 Biltmore Stroll	Newark	OH	43055	New Sep 85
Carney	Eugene	T.	213 South Dade	Ferguson	MO	63135	Retired
Carpenter	John	W.	P. O. Box 677	Lake Ozark	MO	65049-0677	New Nov 85
Cartier	Robert	W.	Route 1, Box 506	Dallas	PA	18612	Retired PT
Caselton	Gene		401 Franklin Park Drive	Boise	ID	83709	New 86
Cheesbrough	Jack	S.	209 Pecan Drive	Augusta, GA	IA	30907	NGT Credit
Chojnowski	Marion		352 Leonard Street	Brooklyn	NY	11211	Retired
Christiansen	Glenn	D.	5017 Ponder	Boise	ID	83705	
Church	Edwin	L.	336 Main Street	Imperial	PA	15126	Retired PT
Cieciek	William	A.	2900 Royal Avenue	Berkley	MI	48072	
Cimmino	Joseph	A.	19304 Richwood Court	Brookeville	MD	20833-2629	
Claypool	Dallas	D.	3900 Holbein Drive	Zanesville	OH	43701	Retired
Colentino	James	R.	5727 Fontaine Street	San Diego	CA	92120	New Feb 86
Companion	Ronald	L.	Box 136, Route 7	Phoenix City	AL	36867	
Corn	Richard	F.	8000 South Drexel, Apt. 1610	Oklahoma City	OK	73159	New Aug 86
Cosand	Allan	B.	Rt. 1, Box 6428	Klamath Falls	OR	97603	
Craig	James	F.	8351 Somerset Road	Thornville	OH	43076	Retired PT
Cribb, Jr.	Robert	V.	2705 Cove Circle, N. E.	Atlanta	GA	30319	New PendSF
Cross	Billy	R.	P. O. Box 13531	Columbus	OH	43213	
Crystal	Harry	A.	5342 East Falls View Drive	San Diego	CA	92115	Retired
Cutler	Donald	W.	9235 South Old State Road	Westerville	OH	43081	PT Group
Davis	Beryl	D.	R.F.D. Box 581	Payson	UT	84651	
Davis	Rex	R.	6212 Dundee Drive	North Highlands	CA	95660	
Davis Jr.	Fred	C.	Route 1, Box 395	Flintstone	GA	30725	New Nov 85
Dawson	Robert	R.	3417 Kroehler Drive	Hilliard	OH	43026	
Deadmon	Baxter	B.	7106 Springate Drive	Columbia,SC	IA	29209	Got Credit
Dean	J.	W.	1054 Woodland Trail	Fenton	MO	63026	
DeMoss	James	C.	5176 Avalon Avenue	Columbus	OH	43229	New Sep 85
DePoglio	William	M.	1102 Somerset Drive	Bellevue	NE	68005	
Detwiler	Curtis	C.	2614 Sequoia Drive North	New Port Richey	FL	33552	Retired PT
Devora	Alexander		139 Bremmway Avenue, West	San Antonio	TX	78226	
Dicks	Alan	F.	512 Sheridan Ave., Apt. 3	Dayton	OH	45403	Retired
Dieppe	Peter	F.	869 Piccadilly Drive	Charleston	SC	29412	New Jul 85
Dingman	Richard	W.	RR 7, Box 32	Shelbyville,IN	IA	46176	
DiNitto	Joseph	A.	Rural Route 2, Post Office Box 1	Haven	KS	67543	New PendSF
Ditzler	Eugene	E.	1111 Reinhol Street	Lebanon	PA	17042	II to Retd
Dockery	William	F.	2500 Knights Rd., Doral Apt 801	Bensalem	PA	19020	
Dominguez	Joaquin	IV	7115 Westlawn	San Antonio	TX	78227	PT Group
Donahue	Edward	W.	84 Homestead Road	Holden	MA	01520	
Donnick, Sr.	Robert	W.	12402 South 69th Avenue	Palos Heights	IL	60463	
Dorsey	David	L.	113 Clinton Avenue	Hagerstown	MD	21740	New Aug 85
Dougherty	Donald		Box 244	Tabor	IA	51653	New PendSF
Dougherty	James	D.	No Valid Address - Has In -	Collingdale,PA	IA	19023	Got Credit
Dutton	Thomas	E.	528 Oriole Drive	Grand Junction	CO	81503	New Aug 86
Eckenboy	George	W.	9362 Crest Drive	Spring Valley	CA	92077	Retired

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LAST NAME	FIRST NAME	MI	MAIL ADDRESS	CITY	ST	ZIP	STATUS
Edmiston	Audra	C.	101 Stoney Brook Drive	Jacksonville	AL	36265	Retired
Edwards	James	C.	9315 Byron Street	Manassas, VA	XA	22111	
Edwards	Leon	A.	2006 Waring Street	Seaside	CA	93955	
Elliott	James	E.	4485 Head Drive	Helena	MT	59601	New Sep85
Epley	Ernest	A.	RFD 9 Box 323	Morganton,NC	XA		
Ernst	Ronald	G.	6105 East County Line Road, S.	IndianapolisIN	XA	46259	
Eskelson	Oral		c/o Davis, R.F.D. Box 581	Payson	UT	84651	
Evans	Billy	E.	26995 Jackson Road	South Bend	IN	46619	RetiredFAA
Everhart	Wayne	L.	4132 West Courtland Street	Peoria	IL	61615	
Faber	John	P.	8455 San Miguel Avenue	South Gate	CA	90280	PT Group
Finlayson	James	T.	2305 West 47th Street	Anchorage	AK	99517	New PendSF
Fischer	Russell	H.	Route 1, Box 186	Valley Head	AL	35989	PT Group
Ford, Jr.	McGage		2224 North Bogle Drive	Chesapeake	VA	23321	New Aug 86
Foster	Wendell	H.	2170 Post Oak Tritt Road, N.E.	Marietta	GA	30062	PT Group
Fritz	Roger	P.	8200 Baymore Way	Citrus Heights	CA	95621	
Frizzell	Leslie	E.	1502 Beaver Run Road, S. E.	Hebron	OH	43025	New PendSF
Fruit	Clay		11506 Spyglass Circle	Sunnymead	CA	92388	
Galbreath	Phillip	A.	1348 Linden Avenue	Chesapeake	VA	23325	New Aug 85
Gallagher, Jr.	Albert	S.	2617 Laramie	Irving	TX	75062	
Gamba	Frank	C.	201 S. E. 4th Street	SatelliteBeach	FL	32937	Retired
Gann	Olin	D.	2607 Weymouth Road	Winston Salem	NC	27103	New May 86
Garza	Reynaldo	J.	P. O. Box 778	Lytle	TX	78052	PT Group
Gee	WD Preston		USAR Center, 201 South Cashua Drive	Florence	SC	29501	
Gerwig	William	M.	Box 33	Fort Ashby	WV	26719	New PendSF
Gilbert	Tommy	R.	1882 West 4655 South	Salt Lake City	UT	84119	Spec. Mail
Gilbert	Tommy	R.	1882 West 4655 South	Salt Lake City	XA		Got Credit
Gillespie	James	E.	DECEASED - Was In -	Farmington,MO	XD		PTDeceased
Glas	Donald	M.	26 River Road	Orange Park	FL	32073	
Gonzales	James	B.	DECEASED - Was In -	Gretna, LA	XD	70056	Deceased
Grace	Leonard	C.	1630 Wesleyan Drive	Macon	GA	31210	PT Group +
Green	James	F.	1504 26th Avenue	Rock Island	IL	61201	New Oct 85
Grubbs	Fred	M.	2411 Camino De Vida	Santa Fe	NM	87505	XX to Actv
Gunipert	Werner	L.	No Valid Address - Was In -	Martinez, CA	XX	94553	
Gunn	Kenneth	L.	208 West Missouri Street	New Baden	IL	62265	
Haggerty	Francis	J.	401 South Church Street	Clifton Hgts.	PA	19018	
Hall	Robert	L.	24 Pound Street	Newark	OH	43055	New Sep 85
Hamblen	Charles	D.	Route 6, bOX 459	Mt. Juliet	TN	37122	
Hampshire	Charles		DECEASED - Was In -	Columbus, OH	XD	43085	Deceased
Harding	John	E.	P. O. Box 85	Romulus	NY	14541	PT Group
Hardwick	John		15710 Buck Lane	Dumphries	VA	22060	New PendSF
Harkins	James	R.	100 May Drive	Titusville	FL	32780	New Nov 85
Harper	Raymond	L.	428 Clemson Avenue	Chesapeake	VA	23324	
Harris	Carl		3613 2nd Street, N. E.	Birmingham	AL	35215	
Harrison	Alex	C.	107 Williams Drive	Bonaire	GA	31005	New Aug 85
Harrison	George	W.	264 Carrollton Street	Shreveport	LA	71105	
Hartzell	Edwin	A.	318 Sunray Place	Colorado Sprgs	CO	80916	PT Group
Harvard	Jerre	E.	Route 2, Box 218	Montezuma	GA	31063	Retired PT
Haston	William	T.	2270 Overlook Road	Augusta, GA	XA	30906	NOT Credit
Hatch	Ralph	C.	2702 South 200 West	Bountiful	UT	84010	New Jan 86
Hettler	David	K.	157 Fairmont Drive	Birmingham	AL	35213	

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LAST NAME	FIRST NAME	MI	MAIL ADDRESS	CITY	ST	ZIP	STATUS
Hayes	Robert	L.	15910 Alta Mesa	Houston	TX	77083	PT Group
Hayes, Jr.	James	E.	1018 - 13th Avenue, East	Duluth	MN	55805	Retired
Headley	Alan	B.	[illegible] Box 2	APO SF	CA	96236	
Heath	Dale	E.	713 Garcia Avenue	Roseville	CA	95678	New Oct 85
Henderson	Walter	I.	619 Johannaber Street	Warrenton	MO	63383	PT Group
Henke	Arthur	J.	371 Adrain Drive	St. Louis	MO	63137	
Herrera	Alfredo	E.	255 East Rampart #401	San Antonio	TX	78216	Retired
Herron	David	G.	RR 1, Box 482	Fairland, IN	ZZ	46126	
Hill	Barbara	C.	1212 Cedar Terrace	Columbia	SC	29209	
Hill	David	H.	212 Piedell Court	Lexington	KY	40503	
Hill	Henry	T.	210 North Mill Street	Lebanon	PA	17042	PT Group
Hoffman	David	I.	246 East Market Street	Williamstown	PA	17098	PT Group
Holland	Agnes		215 Park Row	New York	NY	10038	
Holland	Carthel	D.	Route 2, Box 481	Slocomb,AL	ZZ	36301	Got Credit
Holland	Leo	F.	150 Dean Street	Watertown	NY	13601	New PandSF
Hoover	John	C.	11531 New Zealand	Cypress	CA	90630	
Houser	John	B.	435 Cedar Spring Road	Bel Air	MD	21014	
Hufstetler	Henry	R.	1208 Radeaner Drive	Chattanooga	TN	37421	PT Group
Hughes, Jr.	James	J.	67 Barker Avenue	Eatontown	NJ	07724	
Hals	Robert	E.	1110 North Anderson	Greensburg, IN	ZZ	47240	
Humphrey	Billy	L.	102 Myrtle Drive	New Boston	TX	75570	
Hyland	Patrick	F.	92-585 Akaula Street	Ewa Beach	HI	96707	
Jacobson	Richard	L.	7700 Racaw Lane	Las Vegas	NV	89128	
Jagodowski	Joe		326 Ramona Road	Wilmette	IL	60091	
Jenkins	Milton	C.	129 Westbury Drive	Huntsville	AL	35802	Retired
John	Dick		FAAMFS 827.6, FAA Bldg. Apt.	Philadelphia	PA	19153	
Johnson	Lester	H.	4540 Pasadena Avenue	Sacramento	CA	95821	
Joseph	Julian	S.	Route 5, Box 94A	N. Little Rock	AR	72118	Retired
Joyner	James	H.	300 Miller Road	Bossier City	LA	71112-2999	
Kammerdiener	Robert	A.	415 Marble Drive	Coraopolis	PA	15108	PT Group
Keller	Curt		4313 Rolling Stone Way	Alexandria	VA	22306	PT Group
Keller	Regis	H.	221 Lewis Run Road	West Mifflin	PA	15122	Retired PT
Kelly	Donald	F.	No Valid Address - Was In -	Norwood, MA	ZZ	02062	
Kelly	John	J.	P. O. Box 4637	Huntsville	AL	35815	
Kelly	William	J.	309 Galena Avenue	Wyoming	IL	61491	
Kelvington, III	George	A.	619 Falls Church Road	Imperial	PA	15126	PT Group
Kennedy	Billy	H.	Route 1, Box 8	Beverly Hall	GA	31831	
Kepka	James	F.	390 Rockhill Road	Pittsburgh	PA	15243	
Kerr	Richard	E.	RD #3, P. O. Box 725	Clearfield	PA	16830	New Mar 86
King	Joseph		R. R. 2, Box 1246	Shelburn	IN	47879	PT Group
Knight	Myron	D.	4219 North 41st Street	Phoenix	AZ	85018	
Koontz	Malcolm	R.	11024 Central	IndianapolisIN	ZZ	46280	Category 2
Krcmarik	John	E.	1214 Beswell Drive	San Diego	CA	92124	Retired
Kreger	William	C.	308 Scheller Street	Tomah	WI	54660	
Krug	Karl	E.	501 West South Street	Pinckneyville	IL	62274	
Kruse	Edward	R.	19615 Old Jamestown Road	Florissant	MO	63034	PT Group
Kruszewski	Charles	H.	DECEASED - Was In -	Corpus Christi	ZZ		Deceased
Kruz	Anthony	J.	6336 Bramond Avenue	St. Louis	MO	63123	Retired
LaChance	Robert	E.	Laurel Lane	Cumberland	RI	02864	
Lael	Gaylen		2609 Dayton	Springfield,IL	ZZ	62702	Got Credit

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LAST NAME	FIRST NAME	MI	MAIL ADDRESS	CITY	ST	ZIP	STATUS
Laffoon	Brock	L.	2724 S. W. 312th Place	Federal Way	WA	98003	New PendDF
Laflin	Philip	E.	6606 Parkhill	Shawnee	KS	66203	New Aug 85
Lambert	James A.	A	No Valid Address - Was In	MarylandHgtsMO	IA	63043	
Lang	Al		753 South Dennis	Wheeling	IL	60090	
Lange	Joseph	T.	No Valid Address - Was In -	Lancaster, CA	XX	93534	
Lamirath	Bernard	J.	890 Piccard Avenue	San Diego	CA	92154	PT Group
Lawler	Terry		P. O. Box 103	Linton	ND	58552	
Lawrence	Charles	L.	No Valid Address - Was In -	Albuquerque,NM	XX	87111	
Leary	Charley	T.	DECEASED - Was In - Florida	Ft.WaltonBeach	XX	32548	PTDeceased
Lewis	Warren	G.	DECEASED - Was In -	Temple, TX	XX		Deceased
Little	Arthur	F.	P. O. Box 106	Scott AFB	IL	62225	
Littlejohn	William	D.	727 North Dorset Road	Troy	OH	45373	Retired
Logothetis	John	N.	1255 Harborview Lane	Charleston	SC	29412	
Long	Gordon	R.	Route 01, Box 233	Oklawaha	FL	32679	
Love	James	B.	834 21st Street	Rock Island	IL	61201	
Lovelace	John	C.	14637 West 146 Terrace	Olathe	KS	66062	PT Group +
Lukasiewic	Ignatius	F.	100 New Highway	Commack	NY	11725	
Lyon, Jr.	Olney	R.	5528 East Oklahoma Street	Tulsa	OK	74115	
Mackey	William	G.	318 Holloway Road	Ballwin	MO	63011-3862	
Maddox, Jr.	Harvey	L.	800 Mitchell Street	Schertz	TX	78154	New Oct 85
Maguire	John	F.	1642 West 183rd Street	Homewood	IL	60430-3302	
Mancuso	Jim	F.	8445 South Azul Way	Sandy	UT	84092	
Mathews	Russell	L.	734 Walnut Circle, S. W.	Marietta	GA	30060	PT Group
McCleaf	William	C.	13365 Fisher Lane	Blue Ridge Sum	PA	17214	Retired
McClure, Jr.	Forrest		101 Cleve Court	Longwood	FL	32750	Disabled
McFarland	James	H.	4720 Howard Drive	Powder Springs	GA	30073	Retired PT
McKay	Edwin	R.	8908 Briardale Drive	Austin	TX	78758	
McLendon	James	R.	5060 Pine Ridge Drive	Macon	GA	31210	
McMurray	Wilbur	C.	Box 325 Logan Road	Imperial	PA	15126	Retired PT
McRae	Herbert	S.	5607 Cherokee Road	Meridian	MS	39305	Retired
Medina	Roque		725 South 21st Street	Kingsville	TX	78363	PT Group +
Mendoza Jr.	Augustin	G.	8018 Quirt	San Antonio	TX	78227	StatusPend
Meneses	Rafael	R.	6022 Forest Ridge	San Antonio	TX	78240	PT Group
Messer, Jr.	Harry	A.	6379 Kaniksu Shore Circle	Sandpoint	ID	83864	Retired PT
Meredith	Billy	J.	1145 Elizabeth Street	Alpena	MI	49707	
Meyer	Ervin	B.	407 Belmont Drive	Warner Robins	GA	31088	PT Group +
Mikula	Edward	W.	16201 South 107th Avenue	Miami	FL	33157	PT Group
Miller	John	D.	6200 Dockman Drive	Huber Heights	OH	45424	PT Group
Miller	William	E.	3325 Justis Street	Virginia Beach	VA	23462	
Moldenauer	CW3 James	K.	3130 22nd Avenue	Kenosha, WI	IA	53140	NOT Thru71
Montgomery	Robert	D.	137 Mimosa Boulevard, Route 3	PineKnollShore	NC	28557	New PendDF
Mooney	James	H.	8408 Bataillies Court	Annandale	VA	22003	
Moore	Hal	L.	1304 Beasch Street	Hartselle	AL	35640	PT Group
Moore	Richard	R.	2209 Wintergreen Drive	Chesapeake	VA	23323	New Aug 85
Moy	Robert	J.	182 Twining Ford Road	Richboro	PA	18954	
Mueller	Donal	F.	1604 Winterset Drive	Anchorage	AK	99508	New Mar 86
Mullett	George	C.	740 West Hemp	Ridgecrest	CA	93555	PT Group
Murray	Edward	F.	1427 Abbott Blvd.	Fort Lee	NJ	07024	
Murray	Joseph	C.	P. O. Box # 83	Tower City	PA	17980	PT Group
Myers	George	E.	2 Dogwood Road	Newnan	GA	30263	Retired

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LAST NAME	FIRST NAME	MI	MAIL ADDRESS	CITY	ST	ZIP	STATUS
Myers	Harold	E.	956 Chippendale Lane	Norcross	GA	30093	PT Group
Myers	Orville	H.	27-A Elvira Drive	Belleville	IL	62221	PT Group
Naisbitt	Rayman	B.	509 South 300 East	Cedar City	UT	84720	New Mar 86
Nance	Richard	E.	P. O. Box 273	Deport	TX	75435	Retired PT
Naehr	Frank	F.	1817 Sheffield Way	Roseville	CA	95678	New May 86
Nelson	Dallas	L.	P. O. Box 506	Jonesville	SC	29353-0506	
Newcomb	Earl		2319 Aldford Drive	Austin	TX	78745	
Newsom	James	D.	13760 Penwith Court	Chantilly	VA	22021-3437	PT Group
Nicolai	Eugene		417 Selbourne Road	Riverside	IL	60546	Retired
Niederschmidt	Gene	H.	437 Suppington Barracks Road	St. Louis	MO	63125	PT Group +
Nielson	Harold	D.	843 East 1075 South	Sandy	UT	84070	
Nix	Richard	G.	11152 South Airport	Manteca	CA	95336	New Aug 85
Norden	Robert	K.	20870 Iteri Avenue	Lakeville	MN	55044	
Norwood	George	L.	735-29th Street	Laurel	MS	39440	II to Actv
Nye	Paul	H.	322 West Elm Street	Shillington	PA	19607	Retired PT
O'Dell, Jr.	Jack		4370 Pennyston Avenue	Dayton	OH	45424	
O'Neal	William	A.	100 Chesapeake Estates	Stevensville	MD	21666	New Aug 85
O'Rourke	John	J.	4114 Chalfont Drive	Philadelphia	PA	19154	New Jun 86
Olson	Stanley	B.	3006 Durango Drive	Pensacola	FL	32504	
Packauskas	Vytautas		2605 Brittany Road	Albany	GA	31707	
Palardy	Robert		88 Chestnut Drive	Richboro	PA	18954	
Patrone	Dominic	E.	No Valid Address - Was In -	Glen Mills, PA	XX	19342	
Paul	Clarence		Box 194	Cataract	WI	54620	Retired
Paulin	Henry	L.	Route 2, Box 202	Tomah	WI	54660	
Paulsen	Carl	F.	7005 West Iowa Avenue	Lakewood	CO	80226	New Aug 86
Payne	Gerald	L.	4004 Isbell Street	Wheaton	MD	20906	New May 86
Paz, Jr.	Augustine		9378 Bandera Road	San Antonio	TX	78250	
Perkins	Joseph	D.	2881 Sub-Station Road	Medina	OH	44256	New PendDF
Perry	Harold	H.	426 Stuart Lane	Palatine	IL	60067	
Petrone	James	R.	133 Wittany Drive	Mechanicsburg	PA	17055	PT Group
Pierson	Lionel	A.	DECEASED - Was In -	Coventry, RI	XX	02816	
Pittman	Cleonard	G.	767 Lancaster Road	Augusta, GA	XA	30909	NOT Credit
Place	Robert	M.	4303 Majestic Lane	Fairfax	VA	22033	New Jul 85
Polens	Donald	T.	229 Millport Road	West Mifflin	PA	15122	PT Group
Pollard	C. "Gene"	E.	30218 S. E. 92d Street	Snoqualmie	WA	98065	
Polovnoff	George	J.	DECEASED - Was In -	Salinas CA	XX		Deceased
Porto	George	J.	E. Bayard Street	Seneca Falls	NY	13148	II to Actv
Post	George	A.	4820 5th Street, N. E.	Washington,	DC	20011-6107	PT Group
Pruitt	Kermit	D.	Route 1, Box 203	Wade	NC	28395	Retired
Pylant	James	W.	212 Robin Hood Lane	Pulaski	TN	38478	
Rapp	Earl	A.	9737 Vickie Place	St. Louis	MO	63136	Retired PT
Raney	Franklin	L.	45 Oak Hill Drive, Apt. 1	Belleville	IL	62223	PT Group +
Rand	David		6407 Eastleigh Court	Springfield	VA	22152	
Rauser	Jack	J.	1000 Peosta Avenue	Helena	MT	59601	Retired
Ray, Jr.	Richard	L.	1525 - 36th Street	Rock Island	IL	61201	Retired
Reid, Jr.	James		No Valid Address - Was In -	BrownsMills NJ	XX	08015	
Remaley	Howard	E.	104 Hampton Avenue	Imperial	PA	15126	
Reynolds	Lyle		4206 Bainbridge	Madison, WI	XA	53716	NOT Jan 69
Reynolds	Robert	E.	4333 Arrowhead Trail	Eaton	OH	45323	New Oct 85
Richardson	Ron	R.	2040 Haycock Road	Falls Church	VA	22043	New Dec 85

ALPHABETICAL ROSTER OF FORMER NATIONAL GUARD TECHNICIANS

LAST NAME	FIRST NAME	MI	MAIL ADDRESS	CITY	ST	ZIP	STATUS
Riddle	Harold	E.	Route 7, Box 691-R	Canyon Lake	TX	78130	
Ridgeway	Herb		Route 1, Box 51	Bethlehem, GA	IA	30620	Got Credit
Riedel	Gerald	C.	111 Orlando Court	Fairview Hts.	IL	62208	PT Group
Rivette	Raymond	J.	214 Apollo Steet	Gretna	LA	70056	
Robinson	Joseph	W.	1700 Wagon Gap	Round Rock	TX	78681	PT Group +
Rogers	Jon	A.	312 Charles Court	Slidell	LA	70458	
Rogge	Richard	W.	2536 Hardscrabble Road, N.W.	Alexandria	OH	43001	New Sep 85
Romulus	George	J.	No Valid Address - Was In -	Suffolk, VA	II	23434	
Romulus	George	J.	2671 Elizabeth Harbor Cr. N.	Chesapeake	VA	23321	New PendSF
Root	James	W.	46 Thunderbird Way, Desert Aire	Mattawa	WA	99344	II to Actv
Rowan	Joseph	M.	P. O. Box 421	Fairfield	CA	94533	Retired
Rozan	Joanne	L.	6 John R Street	Battle Creek	MI	49015	New
Sagama	Francis	H.	9341 Geyser Avenue	Northridge	CA	91324	PT Group
Sanderson	Clay	E.	1311 - 5th Street	Jasper	AL	35501	New Sep 85
Sass	William	M.	Route 2, Box 340	Union	MO	63084	Retired PT
Satterfield	Edwin	C.	703 WAGE Drive, S.W.	Leesburg	VA	22075	
Satterfield	James	A.	464 Raymond Drive, N. E.	Sierra Vista	AZ	85635-1147	
Sawers	William	T.	No Valid Address - Was in	Toms River, NJ	II	08753	
Schmetz	Richard	P.	957 Bullock Avenue	Yeadon	PA	19050	New Jan 86
Scheig	Donald	L.	1537 Springlet #113	Florissant	MO	63033	II to Actv
Scrivner	Loren	E.	1201 Lakeview Drive	Olathe	KS	66061	Retired
Secord	Irven	W.	947 Wertzville Road	Enola	PA	17025	PT Group
Sellers	Stanley	D.	909 South Madison Street	Macomb	IL	61455	PT Group +
Shail	Leroy	J.	P. O. Box 151	Sandy	UT	84091	New Dec 85
Sherer	Charles	W.	8120 Wescott Avenue	Fairborn	OH	45324	New Oct 85
Sherman	Royal	E.	Box 170	Sackets Harbor	NY	13685	PT Group
Shuck	Robert	E.	3603 Dalia Court	Annandale	VA	22003	
Sidle	James	W.	505 Heath Road	Heath	OH	43056	New Oct 85
Silva	Joseph	F.	1325 Bayne Court	Bakersfield	CA	93307-6343	
Slomsky	Morris		7218 Horrocks Street	Philadelphia	PA	19149	
Slovak	James	L.	Route 2, Box 186-H	Marion	TX	78124	PT Group +
Smiley	Victor	L.	1922 24th Avenue	Greeley	CO	80631	New Aug 86
Smith	Franklin	D.	308 Ginger Avenue, N. E.	Birmingham	AL	35215	PT Group
Smith	Harold	W.	3148 CR 43	Auburn	IN	46706	
Smith	Reginald		Herrings Road	Carthage	NY	13619	New PendSF
Snelling	Donald	L.	2375 Jackson Drive	Arnold	MO	63010	
Sorace	Benjamin	C.	52 Harvard Road	Havertown	PA	19083	New Jan 86
Soto	Gilbert	G.	2914 East Colgate	Lubbock	TX	79403	New Nov 85
Souza	Clarence	M.	1305 Westmont Drive	San Pedro	CA	90732	New Oct 85
Sparling	Russell	J.	7206 El Caballo	Boise	ID	83704	New Dec 85
Sparrow, Jr.	John	H.	7804 Logan Drive, S. E.	Huntsville	AL	35802	
Spitzer	Zane	F.	4525 Vista Lane	Lynn Haven	FL	32444	New Aug 86
Sprankle, Jr.	Herbert	H.	3 Forest Drive	Catonsville	MD	21228	
Starr	George		13 St. John Street	So. Dartmouth	MA	02748	Retired
Steele	William	J.	1704 Cochran Road, N.W.,Rt. 2	Eastman	GA	31023	PT Group +
Stetler	William	R.	823 East Sunshine Drive	San Antonio	TX	78228	Retired
Stevens	Harry		AFSFO 841.2, Ctl.Tower, JFK Apt	Jamaica	NY	11430	
Storey	James	R.	3330 Storey Road 82-8575A	Hiram	GA	30141	PT Group
Stroud	George	F.	3107 Garnette Drive, Unit B5	Bridgeton	MO	63044	Retired
Stubbs	John	D.	No Valid Address - Was In -	Monterey, CA	II	93940	

ALPHABETICAL ROSTER OF FORMER NATIONAL GUARD TECHNICIANS

09-12-86 AT 12:03 p.m.

LAST NAME	FIRST NAME	MI	MAIL ADDRESS	CITY	ST	ZIP	STATUS
Tackett	Grathel		1607 Delaware Street	Ashland	KY	41101	New Dec 85
Tancer	Robert	W.	R. R. 3, Box 25A	Churubusco	IN	46723	Retired PT
Taylor	Raymond	A.	190 Taylor Road	Etters	PA	17319	PT Group
Taylor	Stanley	I.	1428 Langford Road	Baltimore	MD	21207	New Jul 85
Thomas	Robert	D.	Route 2, Box 285	Sparta	WI	54656	
Thompson	Archie	M.	46074 Apple Lane	Mount Clemens	MI	48044	
Thompson	Vernon	D.	2420 S. W. 80th Street	Oklahoma City	OK	73159	II to Actv
Thormond	Jim		OL-AA/DO Buckley ANG Base	Aurora	CO	80011-9599	Category 2
Tidler	Jack		4012 Villa Oak Drive	Sun Prarie, WI	XA	53590	NGT Jan 69
Toby	Edward	L.	2511 Cascade Drive	Bloomington	IN	47401	PT Group +
Trimble	Albert	C.	5180 East 29th Street	Tulsa	OK	74114	
Trujillo	Jose	B.	716 Coronado Drive	Las Vegas	NM	87701	PT Group
Trujillo	Maurice	T.	4742 Grace Avenue, 8D	Cypress	CA	90630	New PendSF
Tschoerner	Bernard	F.	Route 1, Box 236-A	Bartlett	TX	76511	PT Group +
Tucker	John		No Valid Address - Was In -	Texarkana, TX	XX	75504	
Tuliback	Carl	W.	One Shellflower Road	Levittown	PA	19056	New Jul 86
Turner	Robert	D.	1933 Kalik Circle	Anchorage	AK	99504	New Aug 86
Tyser	Norman	H.	No Valid Address - Was in -	Cheyenne, WY	XX	82001	
Valenzuela	Fred	M.	141 Ricci Avenue	Walnut	CA	91789	PT Group
Vasquez	Manuel	W.	229 Alturas Avenue	Stockton	CA	95257	Retired
Vaughn	Leon	H.	334 Bedford Avenue	Birmingham	AL	35226	StatusPend
Venturoli	Robert	T.	50 Shirley Drive	Lackawanna	NY	14218	
Vinson	Wendell	J.	449 Daytona Road	Columbus	OH	43228	PT Group
Wagner	James	W.	197 South 7th Street	Mt. Wolf	PA	17347	Retired
Walker	Richard	L.	P. O. Box 95	Port Clinton	OH	43452-0095	
Wall	Larry		4322 Blanchan Avenue	Brookfield	IL	60513	
Wash	Hubert	E.	10 California Avenue	Portsmouth	VA	23701	
Wasson	Robert	E.	1610 Green Lane	Westchester	PA	19382	
Watkins	Buren	F.	4041 Bee Road -	Memphis	TN	38117	II to Actv
Watson	James	H.	Route 2, Box 287	Denver	NC	28037	RetiredFAA
Webb	Herbert	B.	2113 - 14th Street	Moline	IL	61265	
Weis	Lewis	M.	3624 N. E. 113th Street	Portland	OR	97220	Retired
Weiss	Joseph	P.	2123 Sunset Avenue	Durham	NC	27705	New Aug 86
Welsh	James	N.	1422 Rome Drive	Glen Burnie	MD	21061	New Sep 85
Wernick	Ted		6212 N. W. 83rd Street	Oklahoma City	OK	73132	
Whetstone	John	R.	1828 Alderpoint Drive	Montgomery	AL	36106	
White	Richard	L.	1650 Rockwell Drive	Xenia	OH	45385	New Oct 85
Whitmeyer	Benjamin	E.	521 Smith Drive	Point Pleasant	NJ	08742	
Whyte	Edward	C.	Star Route 1, Box 423	Fort Ashby	WV	26719	New Aug 85
Williams	Charlie	E.	1528 Boxwood Drive	Chesapeake	VA	23323	
Willis	Thomas	F.	314 Seneca Drive	Lancaster	OH	43130	
Wilson	Gerald	E.	1375 Williams Grove Road	Mechanicsburg	PA	17055	
Wilson	CW4 Neil	E.	8418 Clarice Drive	Shreveport	LA	71106	PT Group
Winder Jr.	Charles	E.	OPM SANG - APO	New York	NY	09038	PT Group
Wishard	Kenneth	E.	245 Strickler Avenue	Waynesboro	PA	17268	Retired
Workman	Charles	W.	14361 Bodle Road	Newark	OH	43055	New Jan 86
Yon	Thomas	E.	779 Camden Drive	Charleston	SC	29412	Retired PT
Young	James	N.	6003 Rivanna Drive	Springfield	VA	22150	New Oct 85
Zechman	Harold	R.	R.D. #1, Box 381A	Milton	PA	17847	PT Group
Zurbuchen	Raymond	G.	16311 Spring Valley Road	Belton	MO	64012-3000	New Nov 85

TOTALS

Printed 400 of the 402 records.

EXHIBIT H

FORMER NATIONAL GUARD TECHNICIANS BY STATE

09-12-86 AT 11:23 a.m. Page 1

ST	LAST NAME	FIRST NAME	MI	MAIL ADDRESS	CITY	ZIP	CODES
AK	Finlayson	James	T.	2305 West 47th Street	Anchorage	99517	
	Mueller	Donal	F.	1684 Winterset Drive	Anchorage	99508	CX SF WW
	Turner	Robert	D.	1933 Kulik Circle	Anchorage	99504	SF
..Subtotals.. 3 records, ST = AK							
AL	Autrey, Jr.	Alvin	L.	Route 3, Box 3940	Cottondale	35453	CX RE SFWW
	Bailey	Sam	S.	1701 Waverly Parkway	Opelika	36801	CX SF
	Baker	Elmore	W.	405 Ewing Street	Samson	36477	SF RE
	Boatright	Jasper	W.	3300 Teakwood Road	Birmingham	35226	
	Brasher	Kernal	R.	101 Carol Drive	Birmingham	35215	CX SF WW
	Companion	Ronald	L.	Box 136, Route 7	Phoenix City	36807	SF
	Edmiston	Audra	C.	101 Stoney Brook Drive	Jacksonville	36265	SF
	Fischer	Russel	H.	Route 1, Box 186	Valley Head	35989	CX SF
	Harris	Carl		3613 2nd Street, N. E.	Birmingham	35215	CX SF
	Hattler	David	K.	157 Fairmont Drive	Birmingham	35213	CX SF WW
	Jenkins	Milton	C.	129 Westbury Drive	Huntsville	35802	SF RE WW
	Kelly	John	J.	P. O. Box 4637	Huntsville	35815	CX SF
	Moore	Hal	L.	1204 Beach Street	Hartselle	35640	
	Sanderson	Clay	E.	1311 - 5th Street	Jasper	35501	CX SF WW
	Smith	Franklin	D.	308 Ginger Avenue, N. E.	Birmingham	35215	CX SF WW
	Sparrow, Jr.	John	H.	7804 Logan Drive, S. E.	Huntsville	35802	
	Vaughn	Leon	H.	334 Bedford Avenue	Birmingham	35226	
	Whetstone	John	R.	1828 Alderpoint Drive	Montgomery	36106	
..Subtotals.. 18 records, ST = AL							
AR	Joseph	Julian	S.	Route 5, Box 94A	N. Little Rock	72118	CX RE SF
..Subtotals.. 1 records, ST = AR							
AZ	Knight	Myron	D.	4219 North 41st Street	Phoenix	85018	CX SF
	Satterfield	James	A.	464 Raymond Drive, N. E.	Sierra Vista	85635-1147	CX SF WW
..Subtotals.. 2 records, ST = AZ							
CA	Colentino	James	R.	5727 Fontaine Street	San Diego	92120	CX SF
	Crystal	Harry	A.	5342 East Falls View Drive	San Diego	92115	CX SF RE
	Davis	Rex	M.	6212 Dundee Drive	North Highlands	95660	CX SF WW
	Eckenboy	George	M.	9362 Crest Drive	Spring Valley	92077	CX RE SF WW
	Edwards	Leon	A.	2006 Waring Street	Seaside	93955	CX SF
	Faber	John	P.	8455 San Miguel Avenue	South Gate	90280	
	Fritz	Roger	P.	8200 Baymore Way	Citrus Heights	95621	SF
	Fruit	Clay		11506 Spyglass Circle	Sunnymead	92388	CX SF
	Headley	Alan	S.	DMAGP Box 2	APO SF	96356	CX SF
	Heath	Dale	E.	713 Garcia Avenue	Roseville	95678	CX SF WW
	Hoover	John	C.	11531 New Zealand	Cypress	90630	
	Johnson	Lester	M.	4540 Pasadena Avenue	Sacramento	95821	CX SF
	Krcmarik	John	E.	1214 Dannell Drive	San Diego	92154	CX RE SF
	Lanzrath	Bernard	J.	890 Piccard Avenue	San Diego	92154	CX SF
	Mullett	George	C.	740 West Wasp	Ridgecrest	93555	CX SF
	Neahr	Frank	F.	1817 Sheffield Way	Roseville	95678	CX SF WW
	Nix	Richard	G.	11152 South Airport	Manteca	95336	CX SF WW
	Rowan	Joseph	M.	P. O. Box 421	Fairfield	94533	CX RE SF

FORMER NATIONAL GUARD TECHNICIANS BY STATE

ST NAME	FIRST NAME	MI	MAIL ADDRESS	CITY	ZIP	CODES
gawa	Francis	N.	9341 Geyser Avenue	Northridge	91324	CX SF
lva	Joseph	F.	1325 Bayne Court	Bakersfield	93307-6343	CX SF WW
aza	Clarence	M.	1305 Westmont Drive	San Pedro	90732	CX SF
ujillo	Maurice	T.	4742 Grace Avenue, #B	Cypress	90630	
lenzuela	Fred	M.	141 Ricci Avenue	Walnut	91789	
squez	Manuel	W.	229 Alturas Avenue	Stockton	95257	CX RE SF WW
otals.. 24 records, ST = CA						
tton	Thomas	E.	528 Oriole Drive	Grand Junction	81503	CX SF
rtzell	Edwin	A.	318 Sunray Place	Colorado Sprgs	80916	
wlass	Carl	F.	7005 West Iowa Avenue	Lakewood	80226	CX SF WW
iley	Victor	L.	1922 24th Avenue	Greeley	80631	CX SF
ormond	Jim		DL-AA/DO Buckley ANG Base	Aurora	80011-9599	
otals.. 5 records, ST = CO						
tes	Frederick	L.	13 South Cobblers Court	Niantic	06357	CX SF WW
otals.. 1 records, ST = CT						
uce	Melvin	T.	P. O. Box 628	Washington	20044	CX SF SC
st	George	A.	4820 5th Street, N. W.	Washington,	20011-6107	CX SC SF
otals.. 2 records, ST = DC						
sop	Glenroy	C.	305 Hidden Lake Drive	Sanford	32771	RE SF
twiler	Curtis	C.	2614 Sequoia Drive North	New Port Richey	33552	SF RE
mba	Frank	C.	201 S. E. 4th Street	SatelliteBeach	32937	CX RE SF WW
ss	Donald	M.	26 River Road	Orange Park	32073	SF
tkins	James	R.	100 May Drive	Titusville	32780	CX SF
ng	Gordon	R.	Route #1, Box 233	Oklawaha	32679	
lure, Jr.	Forrest		101 Clove Court	Longwood	32750	
cula	Edward	W.	16201 South 107th Avenue	Miami	33157	
son	Stanley	B.	3886 Durango Drive	Pensacola	32504	CX SF
tzer	Zane	F.	4525 Vista Lane	Lynn Haven	32444	CX SF WW
otals.. 10 records, ST = FL						
well	Howard	M.	Route 1	Elberton	30635	CX SF WW
bb, Jr.	Robert	V.	2705 Cove Circle, N. E.	Atlanta	30319	
is Jr.	Fred	C.	Route 1, Box 395	Flintstone	30725	CX SF WW
ter	Wendell	M.	2170 Post Oak Tritt Road, N.E.	Marietta	30062	CX SF
ce	Leonard	C.	1630 Wesleyan Drive	Macon	31210	CX SF WW
rison	Alex	C.	107 Williams Drive	Bonaire	31005	CX SF
vard	Jerre	E.	Route 2, Box 218	Montezuma	31063	CXRE SF WW
nedy	Billy	W.	Route 1, Box 8	Waverly Hall	31831	CX SF
huss	Russell	L.	734 Walnut Circle, S. W.	Marietta	30060	CX SF WW
arland	James	M.	4720 Howard Drive	Powder Springs	30073	CX RE SF
endon	James	M.	5060 Pine Ridge Drive	Macon	31210	
er	Ervin	D.	407 Belmont Drive	Warner Robins	31088	CX SF
rs	George	E.	2 Dogwood Road	Newnan	30263	CX RE SF
rs	Harold	E.	956 Chippendale Lane	Norcross	30093	
kauskas	Vytautas		2605 Brittany Road	Albany	31707	
ele	William	J.	1704 Cochran Road, N.W.,Rt. 2	Eastman	31023	CX SF

FORMER NATIONAL GUARD TECHNICIANS BY STATE

09-12-86 AT 11:23 a.m.

ST	LAST NAME	FIRST NAME	MI	MAIL ADDRESS	CITY	ZIP	CODES
	Storey	James	R.	5550 Storey Road R2-B575A	Hiram	30141	CX SF
..Subtotals.. 17 records, ST = GA							
HI	Hyland	Patrick	F.	92-385 Akaula Street	Ewa Beach	96707	CX SF WW
..Subtotals.. 1 records, ST = HI							
IA	Dougherty	Donald		Box 244	Tabor	51653	
..Subtotals.. 1 records, ST = IA							
ID	Caselton	Gene		401 Franklin Park Drive	Boise	83709	CX SF
	Christiansen	Glenn	O.	5017 Powder	Boise	83705	CX SF
	Menser, Jr.	Harry	A.	6370 Kaniksu Shore Circle	Sandpoint	83864	CX SF
	Sparling	Russell	J.	7204 El Caballo	Boise	83704	CX SF
..Subtotals.. 4 records, ST = ID							
IL	Beck	Eldon	L.	1137 Memorial Drive	Macomb	61455	CX SF WW
	Bell	Lorraine	A.	50 Dianne Drive	Belleville	62221	CX SF
	Bonnick, Sr.	Robert	M.	12402 South 69th Avenue	Palos Heights	60463	SF
	Everhart	Wayne	L.	4132 West Courtland Street	Peoria	61615	SF
	Green	James	F.	1504 26th Avenue	Rock Island	61201	CX SF
	Gunn	Kenneth	L.	208 West Missouri Street	New Baden	62265	
	Jagodowski	Joe		326 Romona Road	Wilmette	60091	
	Kelly	William	J.	309 Galena Avenue	Wyoming	61491	SF
	Krug	Karl	E.	501 West South Street	Pickneyville	62274	
	Lang	Al		753 South Dennis	Wheeling	60090	
	Little	Arthur	F.	P. O. Box 106	Scott AFB	62225	SF
	Love	James	W.	834 21st Street	Rock Island	61201	CX SF WW
	Maguire	John	F.	1642 West 183rd Street	Homewood	60430-3302	CX SF WW
	Myers	Orville	H.	27-A Elvira Drive	Belleville	62221	CX SF WW
	Nicolai	Eugene		417 Melbourne Road	Riverside	60546	SF
	Perry	Harold	H.	426 Stuart Lane	Palatine	60067	CX SF WW
	Ramey	Franklin	L.	45 Oak Hill Drive, Apt. 1	Belleville	62223	CX SF
	Ray, Jr.	Richard	L.	1525 - 36th Street	Rock Island	61201	CX RE SFWW
	Riedel	Gerald	C.	111 Orlando Court	Fairview Hts.	62208	
	Sellers	Stanley	D.	909 South Madison Street	Macomb	61455	CX SF
	Wall	Larry		4322 Blanchan Avenue	Brookfield	60513	
	Webb	Herbert	D.	2113 - 14th Street	Moline	61265	SF WW
..Subtotals.. 22 records, ST = IL							
IN	Brooks	Carl	R.	7905 Stonehurst Drive	Indianapolis	46256	CX SF
	Bruan	Clyde	C.	P. O. Box 486 100 West 6th Street	Roanoke	46783	CX SF
	Evans	Billy	E.	26995 Jackson Road	South Bend	46619	SF
	King	Joseph		R. R. 2, Box 124A	Shelburn	47879	CX SF
	Smith	Harold	W.	5148 CR 43	Auburn	46706	CX SF
	Tanner	Robert	W.	R. R. 3, Box 25A	Churubusco	46723	RE SF
	Toby	Edward	L.	2511 Cascade Drive	Bloomington	47401	CX SF WW
..Subtotals.. 7 records, ST = IN							
KS	DiNitto	Joseph	A.	Rural Route 2, Post Office Box 1	Haven	67543	
	Laflin	Philip	E.	6608 Parkhill	Shawnee	66203	CX SF

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                         FORMER NATIONAL GUARD TECHNICIANS BY STATE
09-12-86 AT 11:23 a.m.                                                                            Page 4

ST  LAST NAME         FIRST NAME  MI   MAIL ADDRESS                       CITY              ZIP          CODES
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    Lovelace          John        C.   16637 West 146 Terrace             Olathe            66062        CX SF WW
    Scrivner          Loren       E.   1201 Leeview Drive                 Olathe            66061        CX RE SF
..Subtotals.. 4 records, ST = KS

KY  Hill              David       H.   212 Pindell Court                  Lexington         40503        CX SF
    Tackett           Grathel          1607 Delaware Street               Ashland           41101        CX SF
..Subtotals.. 2 records, ST = KY

LA  Barrilleaux,Sr.   Melvin      J.   104 Ryan Street                    Lafayette         70501        CX RE SF
    Blanchard         Kerny       P.   4005 15th Street                   Marrero           70072        SF
    Boles             John        S.   603 East 2nd Street                Belle Chasse      70037
    Harrison          George      W.   264 Carrollton Street              Shreveport        71105        CX SF
    Joyner            James       M.   300 Miller Road                    Bossier City      71112-2599
    Rivette           Raymond     J.   214 Apollo Steet                   Gretna            70056        SF
    Rogers            Jon         A.   312 Charles Court                  Slidell           70458        CX SF WW
    Wilson            CW4 Neil    E.   8410 Clarice Drive                 Shreveport        71106        CX SF
..Subtotals.. 8 records, ST = LA

MA  Ambrosino         Alphonse    A.   199 Pomona Street                  Revere            02151        CX SF
    Donahue           Edward      M.   84 Homestead Road                  Holden            01520
    Starr             George           13 St. John Street                 So. Dartmouth     02748        SF
..Subtotals.. 3 records, ST = MA

MD  Cimmino           Joseph      A.   19304 Richwood Court               Brookeville       20833-2629   CX SC SF
    Dorsey            David       L.   113 Clinton Avenue                 Hagerstown        21740        CX SF
    Houser            John        B.   420 Cedar Spring Road              Bel Air           21014        CX SC SF
    O'Neal            William     A.   100 Chesapeake Estates             Stevensville      21666
    Payne             Gerald      L.   4004 Isbell Street                 Wheaton           20906        CX SF
    Sprankle, Jr.     Herbert     H.   3 Forest Drive                     Catonsville       21228        CX SC SF
    Taylor            Stanley     I.   1428 Langford Road                 Baltimore         21207        CX SF
    Welsh             James       M.   1422 Rowe Drive                    Glen Burnie       21061        SF
..Subtotals.. 8 records, ST = MD

MI  Angel, Jr.        Thomas           17577 Grettel Avenue               Fraser            48026        CX SF
    Cieciek           William     A.   2980 Royal Avenue                  Berkley           48072        CX SF
    Meredith          Billy       J.   1145 Elizabeth Street              Alpena            49707        CX SF WW
    Rusan             Jeanne      L.   6 John R Street                    Battle Creek      49015
    Thompson          Archie      M.   46074 Apple Lane                   Mount Clemens     48044        SF
..Subtotals.. 5 records, ST = MI

MN  Hayes, Jr.        James       E.   1018 - 13th Avenue, East           Duluth            55805        CX SF
    Nordan            Robert      K.   20870 Itori Avenue                 Lakeville         55044        CX SF
..Subtotals.. 2 records, ST = MN

MO  Adams             Norman      L.   Route #1, Box 654                  Holt              64048        SF
    Ball              Edwin       R.   2014 S. Meadowview                 Springfield       65804
    Bowie             Jimmie      M.   600 Saint Gabrielle Drive          Florissant        63033        CX SF
    Carney            Eugene      T.   213 South Dade                     Ferguson          63135        CX SF RE
    Carpenter         John        W.   P. O. Box 677                      Lake Ozark        65049-0677   CX SF
    Dean              J.          W.   1054 Woodland Trail                Fenton            63026        CX SF WW
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ST  LAST NAME         FIRST NAME   MI   MAIL ADDRESS                        CITY              ZIP         CODES
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    Henderson         Walter       I.   619 Johannaber Street               Warrentown        63383       CX RE SF
    Henke             Arthur       J.   371 Adrain Drive                    St. Louis         63137       CX SF
    Kruse             Edward       R.   19615 Old Jamestown Road            Florissant        63034       CX SF
    Kruz              Anthony      J.   6336 Gramond Avenue                 St. Louis         63123       CX RE SF
    Mackey            William      G.   318 Holloway Road                   Ballwin           63011-3862  CX SF
    Niederschaidt     Gene         H.   437 Sappington Barracks Road        St. Louis         63125       CX SF NW
    Ragg              Earl         A.   9737 Vickie Place                   St. Louis         63136       CX RE SF
    Sass              William      M.   Route 2, Box 360                    Union             63084       CX SF RE
    Scheig            Donald       L.   1537 Springlet #113                 Florissant        63033
    Snelling          Donald       L.   2375 Jackson Drive                  Arnold            63010       CX SF NW
    Stroud            George       F.   3107 Barnette Drive, Unit 85        Bridgeton         63044       CX SF
    Zurbuchen         Raymond      G.   16311 Spring Valley Road            Belton            64012-5000  SF
..Subtotals.. 18 records, ST = MO

MS  McRae             Herbert      S.   5607 Cherokee Road                  Meridian          39305       CX RE SF
    Norwood           George       L.   735-29th Street                     Laurel            39440
..Subtotals.. 2 records, ST = MS

MT  Elliott           James        E.   4405 Head Drive                     Helena            59601       CX SF
    Rauser            Jack         J.   1000 Peosta Avenue                  Helena            59601       CX RE SF
..Subtotals.. 2 records, ST = MT

NC  Bivens            Charles      C.   P. O. Box 851                       Wingate           28174       CX SF NW
    Black, Jr.        Charles      B.   235 Cedar Lane                      Mt. Holly         28120       RE SF
    Blackmon          Julian       D.   1524 Rama Road                      Charlotte         28211       CX SF
    Gann              Olin         B.   2607 Weymouth Road                  Winston Salem     27103       CX SF
    Montgomery        Robert       D.   137 Mimosa Boulevard, Route 3       PineKnollShore    28557
    Pruitt            Kermit       B.   Route 1, Box 203                    Wade              28395       RE SF
    Watson            James        H.   Route 2, Box 207                    Denver            28037       CX RE SF
    Weiss             Joseph       P.   2123 Sunset Avenue                  Durham            27705       SF
..Subtotals.. 8 records, ST = NC

ND  Lawler            Terry             P. O. Box 103                       Linton            58552       CX SF
..Subtotals.. 1 records, ST = ND

NE  DePuglio          William      M.   1102 Somerset Drive                 Bellevue          68005       CX SF NW
..Subtotals.. 1 records, ST = NE

NJ  Adams             James             32 Bosworth Lane                    Willingboro       08046       CX SF NW
    Hughes, Jr.       James        J.   67 Barker Avenue                    Eatontown         07724
    Murray            Edward       F.   1429 Abbott Blvd.                   Fort Lee          07024
    Whitmeyer         Benjamin     E.   521 Smith Drive                     Point Pleasant    08742
..Subtotals.. 4 records, ST = NJ

NM  Basham            Clarence     E.   336 General Arnold, N. E.           Albuquerque       87123
    Briggs            Robt."Bud"   H.   1219 Garcia N. E.                   Albuquerque       87112       CX SF NW
    Grubbs            Fred         M.   2411 Camino De Vida                 Santa Fe          87505       CX SF
    Trujillo          Jose         B.   716 Coronado Drive                  Las Vegas         87701       CX SF NW
..Subtotals.. 4 records, ST = NM

NV  Jacobson          Richard      L.   7700 Macaw Lane                     Las Vegas         89128       SF NW
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..Subtotals.. 1 records, ST = WV							
NY	Addario	Francis	J.	18 Amber Street	Staten Island	10306	
	Chojnowski	Marion		352 Leonard Street	Brooklyn	11211	
	Harding	John	E.	P. O. Box 85	Romulus	14541	SF
	Holland	Agnes		215 Park Row	New York	10038	CX SF
	Holland	Leo	F.	150 Boon Street	Watertown	13601	
	Lukasiewic	Ignatius	F.	100 New Highway	Commack	11725	CX SF
	Porto	George	J.	E. Bayard Street	Seneca Falls	13148	
	Sherman	Royal	E.	Box 170	Sackets Harbor	13685	
	Smith	Reginald		Herrings Road	Carthage	13619	
	Stevans	Harry		AFSFO 841.2, Ctl.Tower, JFK Apt	Jamaica	11430	
	Venturoli	Robert	T.	50 Shirley Drive	Lackawanna	14218	CX SF
	Winder Jr.	Charles	E.	OPM SAMG - APO	New York	09038	CX SF
..Subtotals.. 12 records, ST = NY							
OH	Capezzuti	Nicholas	R.	152 Morrison Street	Struthers	44471	CX SF WW
	Carle	Earl	G.	1553 Bitmore Stroll	Newark	43055	CX SF
	Claypool	Dallas	D.	3980 Holbein Drive	Zanesville	43701	CX RE SF
	Craig	James	F.	8351 Somerset Road	Thornville	43076	CX SF WW
	Cross	Billy	R.	P. O. Box 13531	Columbus	43213	CX SF
	Cutler	Donald	W.	9235 South Old State Road	Westerville	43081	CX SF
	Dawson	Robert	N.	3417 Kroehler Drive	Hilliard	43026	CX SF
	DeMoss	James	C.	5176 Avalon Avenue	Columbus	43229	SF
	Dicks	Alan	F.	512 Sheridan Ave., Apt. 3	Dayton	45403	CX RE SF
	Frizzell	Leslie	E.	1502 Beaver Run Road, S. E.	Hebron	43025	
	Hall	Robert	L.	24 Pound Street	Newark	43055	CX SF WW
	Littlejohn	William	D.	727 North Dorset Road	Troy	45373	CX SF
	Miller	John	D.	6200 Buckman Drive	Huber Heights	45424	SF
	O'Dell, Jr.	Jack		4570 Pennyston Avenue	Dayton	45424	
	Perkins	Joseph	O.	2881 Sub-Station Road	Medina	44256	
	Reynolds	Robert	E.	4333 Arrowhead Trail	Enon	45323	CX SF WW
	Rogge	Richard	W.	2536 Hardscrabble Road, N.W.	Alexandria	43001	CX SF
	Sherer	Charles	W.	8120 Wescott Avenue	Fairborn	45324	CX SF
	Sidle	James	H.	505 Heath Road	Heath	43056	CX SF
	Vinson	Wandell	J.	449 Daytona Road	Columbus	43228	CX SF WW
	Walker	Richard	L.	P. O. Box 95	Port Clinton	43452-0095	
	White	Richard	L.	1650 Rockwell Drive	Xenia	45385	SF
	Willis	Thomas	F.	314 Seneca Drive	Lancaster	43130	CX SF
	Workman	Charles	W.	14361 Bodle Road	Newark	43055	SF WW
..Subtotals.. 24 records, ST = OH							
OK	Corn	Richard	F.	8800 South Drexel, Apt. 1610	Oklahoma City	73159	CX SF WW
	Lyne, Jr.	Olney	W.	5528 East Oklahoma Street	Tulsa	74115	CX SF
	Thompson	Vernon	D.	2420 S. W. 80th Street	Oklahoma City	73159	
	Trimble	Albert	C.	5180 East 29th Street	Tulsa	74114	
	Wernick	Ted		6212 N. W. 83rd Street	Oklahoma City	73132	CX SF
..Subtotals.. 5 records, ST = OK							
OR	Cosand	Allan	D.	Rt. 1, Box 642B	Klamath Falls	97603	SF RE WW

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    Weis             Lewis        M.   3624 N. E. 113th Street               Portland          97220     CX SF
..Subtotals.. 2 records, ST = OR

PA  Ammon            Albert            1653 Hillsdale Avenue                 Pittsburgh        15216     CX RE SF
    Black            Joseph       D.   335 West Market Street                Williamstown      17098
    Cartier          Robert       M.   Route 1, Box 506                      Dallas            18612     CX RE SF
    Church           Edwin        L.   356 Main Street                       Imperial          15126     CX RE SF
    Ditzler          Eugene       E.   1111 Reinhol Street                   Lebanon           17042     RE
    Dockery          William      F.   2500 Knights Rd., Doral Apt 001       Bensalem          19020     CX SF
    Haggerty         Francis      J.   401 South Church Street               Clifton Hgts.     19018
    Hill             Henry        T.   210 North Mill Street                 Lebanon           17042     CX SF
    Hoffman          David        I.   246 East Market Street                Williamstown      17098     CX SF WW
    John             Dick              FAAAFS 827.0, FAA Bldg. Apt.          Philadelphia      19153
    Kammerdiener     Robert       A.   415 Marble Drive                      Coraopolis        15108     CX SF WW
    Keller           Regis        H.   321 Lewis Run Road                    West Mifflin      15122
    Kelvington, III  George       A.   619 Falls Church Road                 Imperial          15126     CX SF WW
    Kepka            James        F.   390 Rockhill Road                     Pittsburgh        15243     SF
    Kerr             Richard      E.   RD #3, P. O. Box 725                  Clearfield        16830     CX SF
    McCleaf          William      C.   13365 Fiohr Lane                      Blue Ridge Sum    17214
    McMurray         Wilbur       C.   Box 325 Logan Road                    Imperial          15126     CX RE SF
    Mey              Robert       J.   182 Twining Ford Road                 Richboro          18954     CX SF
    Murray           Joseph       C.   P. O. Box # 83                        Tower City        17980     CX SF
    Nye              Paul         H.   322 West Elm Street                   Shillington       19607     CX SF RE
    O'Rourke         John         J.   4114 Chalfont Drive                   Philadelphia      19154     SF
    Polardy          Robert            80 Chestnut Drive                     Richboro          18954
    Petrone          James        R.   133 Nittany Drive                     Mechanicsburg     17055     CX SC SF
    Polens           Donald       T.   229 Millport Road                     West Mifflin      15122     CX RE SF
    Remaley          Howard       E.   104 Hampton Avenue                    Imperial          15126     SF
    Schoetz          Richard      P.   957 Bullock Avenue                    Yeadon            19050     CX SF
    Secord           Irvan        B.   947 Wertzville Road                   Enola             17025     SF
    Slomsky          Morris            7218 Horrocks Street                  Philadelphia      19149
    Sorace           Benjamin     C.   52 Harvard Road                       Havertown         19083     SF
    Taylor           Raymond      A.   190 Taylor Road                       Etters            17319     CX SF
    Tuliback         Carl         W.   One Shellflower Road                  Levittown         19056     CX SF
    Wagner           James        W.   197 South 7th Street                  Mt. Wolf          17347     CX RE SF
    Wasson           Robert       E.   1610 Green Lane                       Westchester       19382     SF WW
    Wilson           Gerald       E.   1375 Williams Grove Road              Mechanicsburg     17055     CX SF
    Wishard          Kenneth      E.   245 Strickler Avenue                  Waynesboro        17268     CX RE SF
    Zechman          Harold       R.   R.D. #1, Box 381A                     Milton            17847     CX SF WW
..Subtotals.. 36 records, ST = PA

RI  Cambio           John              7 Warden Lane                         Warren            02885     RE SF
    LaChance         Robert       E.   Laurel Lane                           Cumberland        02864
..Subtotals.. 2 records, ST = RI

SC  Broome           Calvin       G.   206 W. Martintown Road                N. Augusta        29841
    Dieppe           Peter        F.   869 Piccadilly Drive                  Charleston        29412
    Gee              WO Preston        USAR Center, 201 South Cashua Drive   Florence          29501
    Hill             Barbara      C.   1212 Cedar Terrace                    Columbia          29209
    Logothetis       John         N.   1253 Harborview Lane                  Charleston        29412     CX SF
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	Nelson	Dallas	L.	P. O. Box 506	Jonesville	29353-0506	CX SF WW
	Yon	Thomas	E.	779 Condon Drive	Charleston	29412	CX SF
..Subtotals.. 7 records, ST = SC							
TN	Hamblen	Charles	D.	Route 6, bOX 459	Mt. Juliet	37122	CX SF
	Hofstetler	Henry	R.	1208 Radamor Drive	Chattanooga	37421	CX SF
	Pylant	James	B.	212 Robin Hood Lane	Pulaski	38478	CX SF
	Watkins	Baron	F.	4041 Dee Road	Memphis	38117	
..Subtotals.. 4 records, ST = TN							
TX	Bright	Ernest	L.	1810 North Beal Street	Belton	76513	CX SF WW
	Buchanan	Jarvis	L.	8002 Hearne	Abilene	79606	CX SF WW
	Devora	Alexander		139 Greenway Avenue, West	San Antonio	78226	
	Dominguez	Joaquin	IV	7115 Westlawn	San Antonio	78227	SF
	Gallagher, Jr.	Albert	S.	2617 Laramie	Irving	75062	
	Garza	Reynaldo	J.	P. O. Box 778	Lytle	78052	SF
	Hayes	Robert	L.	13910 Alta Mesa	Houston	77083	
	Herrera	Alfredo	E.	255 East Rampart #401	San Antonio	78216	RE SF
	Humphrey	Billy	L.	102 Myrtle Drive	New Boston	75570	CX SF
	Maddox, Jr.	Harvey	L.	800 Mitchell Street	Schertz	78154	CX SF
	McKay	Edwin	H.	8908 Briardale Drive	Austin	78758	SF
	Medina	Roque		725 South 21st Street	Kingsville	78363	CX SF
	Mendoza Jr.	Augustin	G.	8010 Quirt	San Antonio	78227	
	Meneses	Rafael	M.	6022 Forest Ridge	San Antonio	78240	
	Nance	Richard	E.	P. O. Box 273	Deport	75435	CX RE SFWW
	Newcomb	Earl		2319 Aldford Drive	Austin	78745	
	Paz, Jr.	Augustine		9378 Bandera Road	San Antonio	78250	
	Riddle	Harold	E.	Route 7, Box 691-R	Canyon Lake	78130	CX SF
	Robison	Joseph	H.	1700 Wagon Gap	Round Rock	78681	SF
	Slovak	James	L.	Route 2, Box 186-H	Marion	78124	CX SF WW
	Soto	Gilbert	G.	2914 East Colgate	Lubbock	79403	SF
	Stetler	William	R.	823 East Sunshine Drive	San Antonio	78228	CX RE SF
	Tschoerner	Bernard	F.	Route 1, Box 236-A	Bartlett	76511	CX SF
..Subtotals.. 23 records, ST = TX							
UT	Davis	Daryl	D.	R.F.D. Box 581	Payson	84651	CX SF
	Eskelsen	Oral		c/o Davis, R.F.D. Box 581	Payson	84651	
	Gilbert	Tommy	R.	1882 West 4635 South	Salt Lake City	84119	
	Hatch	Ralph	C.	2702 South 200 West	Bountiful	84010	SF
	Mancuso	Jim	F.	8445 South Azul Way	Sandy	84092	
	Naisbitt	Raymon	W.	589 South 300 East	Cedar City	84720	CX SF WW
	Nielson	Harold	B.	943 East 1075 South	Sandy	84070	
	Shail	Deroy	J.	P. O. Box 151	Sandy	84091	CX SF WW
..Subtotals.. 8 records, ST = UT							
VA	Albertson	Robert		525 Burleigh Avenue	Norfolk	23505	CX SF
	Andrews	William	D.	4201 Dougherty Court	Virginia Beach	23455	CX SF WW
	Angus	Jerry	E.	11 Byers Avenue	Portsmouth	23701	CX SF
	Deville	Gayle	L.	1203 Covington Road	Colonial Hgts.	23834	CX SF WW
	Boryan	Milan		2430 North Utah Street	Arlington	22207	

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	Brown	Benjamin		437 Rutgers Avenue	Chesapeake	23324	SF
	Brown, Jr.	James	L.	9529 Channing Lane	Richmond	23235	CX SF RE
	Burgwald	George	G.	890 North Lexington Street	Arlington	22204	CX SC SF WW
	Ford, Jr.	McGage		2224 North Bugle Drive	Chesapeake	23321	CX SF
	Galbreath	Phillip	A.	1348 Linden Avenue	Chesapeake	23325	CX SF WW
	Hardwick	John		15710 Buck Lane	Dumphries	22060	
	Harper	Raymond	L.	428 Clemson Avenue	Chesapeake	23324	CX SF
	Keller	Curt		4313 Rolling Stone Way	Alexandria	22306	CX SC SF
	Miller	William	E.	3325 Justis Street	Virginia Beach	23462	CX SF
	Rooney	James	M.	8608 Battailles Court	Annandale	22003	CX SC SF WW
	Moore	Richard	R.	2209 Wintergreen Drive	Chesapeake	23323	SF WW
	Newsom	James	B.	13760 Penwith Court	Chantilly	22021-3437	CX SC SF
	Place	Robert	M.	4303 Majestic Lane	Fairfax	22033	CX SF
	Rand	David		6407 Eastleigh Court	Springfield	22152	SC SF
	Richardson	Max	M.	2040 Haycock Road	Falls Church	22043	CX SF
	Romulus	George	J.	2671 Elizabeth Harbor Cr. N.	Chesapeake	23321	
	Satterfield	Edwin	C.	703 WAGE Drive, S.W.	Leesburg	22075	CX SF
	Shuck	Robert	E.	3603 Balin Court	Annandale	22003	CX SC SF
	Nash	Hubert	E.	10 California Avenue	Portsmouth	23701	SF
	Williams	Charlie	E.	1528 Boxwood Drive	Chesapeake	23323	CX SF WW
	Young	James	W.	6003 Rivanna Drive	Springfield	22150	CX SC SF WW
..Subtotals.. 26 records, ST = VA							
WA	Laffoon	Brock	L.	2724 S. W. 312th Place	Federal Way	98003	CX
	Pollard	C. "Dune"	E.	38218 S. E. 92d Street	Snoqualmie	98065	CX SF WW
	Root	James	W.	46 Thunderbird Way, Desert Aire	Mattawa	99344	
..Subtotals.. 3 records, ST = WA							
WI	Bell	Loren		Route 2, Box 97	Sparta	54656	SF
	Kreger	William	C.	308 Schaller Street	Tomah	54660	SF WW
	Paul	Clarence		Box 194	Cataract	54620	CX SF
	Paulin	Henry	L.	Route 2, Box 202	Tomah	54660	CX SF
	Thomas	Robert	B.	Route 2, Box 285	Sparta	54656	CX SF
..Subtotals.. 5 records, ST = WI							
WV	Gerwig	William	M.	Box 35	Fort Ashby	26719	Pending SF
	Whyte	Edward	C.	Star Route 1, Box 423	Fort Ashby	26719	CX SF WW
..Subtotals.. 2 records, ST = WV							
ZA	AA-DROPPED	NAMES		EMPLOYED AS TECHS OR RECD CREDIT			
	Bertsch	Edward	W.	Route 3, Box 228	Blythewood, SC	29016	
	Boyd	Paul	W.	940 Shades Glen Drive	Birmingham, AL	35226	
	Cheesbrough	Jack	S.	209 Pecan Drive	Augusta, GA	30907	
	Deadmon	Baxter	B.	7106 Springate Drive	Columbia,SC	29209	
	Dingman	Richard	W.	RR 7, Box 32	Shelbyville,IN	46176	
	Dougherty	James	B.	No Valid Address - Was In -	Collingdale,PA	19023	
	Edwards	James	C.	9315 Byron Street	Manassas, VA	22111	
	Epley	Ernest	A.	RFD 9 Box 323	Morganton,NC		
	Ernst	Donald	G.	6105 East County Line Road, S.	IndianapolisIN	46259	
	Gilbert	Tommy	R.	1882 West 4655 South	Salt Lake City		

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	Haston	William	T.	2270 Overlook Road	Augusta, GA	30906	
	Herron	David	W.	RR 1, Box 482	Fairland, IN	46126	
	Holland	Carthel	D.	Route 2, Box 481	Slocomb,AL	36301	
	Hols	Robert	E.	1110 North Anderson	Greensburg, IN	47240	
	Koontz	Malcolm	R.	11024 Central	IndianapolisIN	46280	
	Lael	Gaylen		2049 Dayton	Springfield,IL	62702	
	Lambert	James A.	A	No Valid Address - Has In	MarylandHgtsMO	63043	
	Moldenauer	CW3 James	H.	2130 22nd Avenue	Kenosha, WI	53140	
	Pittman	Cleonard	G.	767 Lancaster Road	Augusta, GA	30909	
	Reynolds	Lyle		4206 Bainbridge	Madison, WI	53716	
	Ridgeway	Herb		Route 1, Box 51	Bethlehem, GA	30620	
	Tidler	Jack		4012 Villa Oak Drive	Sun Prarie, WI	53590	
..Subtotals.. 23 records, ST = ZA							
ZD	AA-DECEASED	NAMES		NOT DELIVERABLE - DECEASED			
	Aderholt	Kenneth		DECEASED - Has In _	Columbus, OH		
	Aherns	John	P.	DECEASED - Has In -	Davenport, IA	52804	
	Black	Edward	L.	DECEASED - Has In -	Clearmont, FL		
	Boegeman	Rusty	L.	DECEASED - Has In -	Boise, ID	83706	SF 86
	Bradford	Ray		DECEASED - Has In -	Columbus, OH	43229	
	Gillespie	James	E.	DECEASED - Has In -	Farmington,MO		
	Gonzales	James	W.	DECEASED - Has In -	Gretna, LA	70056	
	Hampshire	Charles		DECEASED - Has In -	Columbus, OH	43085	
	Kruszewski	Charles	H.	DECEASED - Has In -	Corpus Christi		
	Leary	Charley	T.	DECEASED - Has In - Florida	Ft.WaltonBeach	32548	
	Lents	Warren	G.	DECEASED - Has In -	Temple, TX		
	Pierson	Lionel	A.	DECEASED - Has In -	Coventry, RI	02816	
	Polovneff	George	J.	DECEASED - Has In -	Salinas CA		
..Subtotals.. 14 records, ST = ZD							
ZZ	AA-DROPPED	NAMES		NOT DELIVERABLE - NO GOOD ADDRESS			
	Altman	Thomas	R.	No Valid Address - Has In -	Roy, UT	84067	
	Gunipert	Werner	L.	No Valid Address - Has In -	Martinez, CA	94553	
	Kelly	Donald	F.	No Valid Address - Has In -	Norwood, MA	02062	
	Lange	Joseph	T.	No Valid Address - Has In -	Lancaster, CA	93534	
	Lawrence	Charles	L.	No Valid Address - Has In -	Albuquerque,NM	87111	
	Patrone	Dominic	E.	No Valid Address - Has In -	Glen Mills, PA	19342	
	Reid, Jr.	James		No Valid Address - Has In -	BrownsMills NJ	08015	
	Romulus	George	J.	No Valid Address - Has In -	Suffolk, VA	23434	
	Sawers	William	T.	No Valid Address - Has In	Toms River, NJ	08753	
	Stubbs	John	B.	No Valid Address - Has In -	Monterey, CA	93940	
	Tucker	John		No Valid Address - Has In -	Texarkana, TX	75504	
	Tyser	Norman	N.	No Valid Address - Has In -	Cheyenne, WY	82001	

..Subtotals.. 13 records, ST = ZZ

TOTALS

Printed 400 of the 402 records.

EXHIBIT I

ESTIMATES OF COSTS ASSOCIATED WITH PASSAGE OF S. 1259 OR H. R. 3006, AS INTRODUCED

Summary. Assuming that 50 percent of retirees make a pay-in for non-deduction service, the estimated Treasury costs which would result from passage of the bill would be $107,000 in FY 1987, $316,000 in FY 1988, and $546,000 in FY 89 (See Table I). Fully implemented annual costs, which would occur around 2001, would be about $1,051,000 in 1986 dollars (See Table II).

Number of persons potentially affected	370
Average service for credit	7.4 yrs
Estimated 3-year average salary	$ 33,000
Average pay-in for full credit	$ 3,400
Additional annual annuity for full credit	$ 4,950
Annuity reduction for non-deduction service	$ 600
No. of persons projected to be retired as of 10/1/86	60

TABLE I - 5-Year Costs* (Inflated Dollars)	Assuming no pay-in for non-deduction Service	Assuming full pay-in for non-deduction Service	Assuming 50% pay-in for non-deduction Service
FISCAL YEAR 1987			
Additional retirees during FY, 45			
Potential additional annuity	$ 428000	$ 428000	$ 428000
Reduction for non-deduction service	30000	0	15000
Reduction for survivor annuity**	26000	28000	27000
Income tax withheld	71000	78000	75000
Pay-in for non-deduction service	0	408000	204000
NET PAYOUT FY 1987	$ 301000	$ -86000	$ 107000
FISCAL YEAR 1988			
Additional retirees during FY, 45			
Potential additional annuity	$ 675000	$ 675000	$ 675000
Reduction for non-deduction service	47000	0	23000
Reduction for survivor annuity**	41000	45000	43000
Income tax withheld	113000	122000	118000
Pay-in for non-deduction service	0	350000	175000
NET PAYOUT FY 1988	$ 474000	$ 158000	$ 316000
FISCAL YEAR 1989			
Additional retirees during FY, 40			
Potential additional annuity	$ 922000	$ 922000	$ 922000
Reduction for non-deduction service	62000	0	31000
Reduction for survivor annuity**	56000	61000	58000
Income tax withheld	155000	166000	161000
Pay-in for non-deduction service	0	252000	126000
NET PAYOUT FY 1989	$ 649000	$ 443000	$ 546000

Estimates of costs associated with passage of
S. 1259 or H. R. 3006, as introduced (Cont.)

TABLE I (Cont.) 5-Year Costs* (Inflated Dollars)	Assuming no pay-in for non-deduction Service	Assuming full pay-in for non-deduction Service	Assuming 50% pay-in for non-deduction Service
FISCAL YEAR 1990			
Additional retirees during FY, 40			
Potential additional annuity	$ 1156000	$ 1156000	$ 1156000
Reduction for non-deduction service	76000	0	38000
Reduction for survivor annuity**	71000	76000	73000
Income tax withheld	194000	209000	202000
Pay-in for non-deduction service	0	223000	111000
NET PAYOUT FY 1990	$ 815000	$ 648000	$ 732000
FISCAL YEAR 1991			
Additional retirees during FY, 30			
Potential additional annuity	$ 1372000	$ 1372000	$ 1372000
Reduction for non-deduction service	88000	0	44000
Reduction for survivor annuity**	84000	90000	87000
Income tax withheld	231000	248000	240000
Pay-in for non-deduction service	0	77000	38000
NET PAYOUT FY 1991	$ 969000	$ 957000	$ 963000

* Estimates assume an effective date of 10-1-86, that COLA increases for all years for both base salaries and annuities will be 4%, and that new retirements will occur uniformly throughout the fiscal year. Retiree and survivor deaths during the period are based on National Center for Health Statistics data.

** Survivor annuity reductions based on 70% selection of this option.

TABLE II - Costs When Fully Implemented in Year 2001
(1986 dollars)

Retirees' and survivors' annuities (Est. 254 retirees and 71 survivors living)	$ 1,424,000
Reduction for non-deduction service	50,000
(assumes there was 50% pay-in)	1,374,000
Reduction for survivor benefit (assumes 70%	83,000
of retirees selected this option)	$ 1,291,000
Income tax withheld	240,000
NET COST WHEN FULLY IMPLEMENTED	$ 1,051,000

NOTE: Retiree and survivor deaths during the period are based on National Center for Health Statistics "Expectation of Life and Expected Deaths by Race, Sex, and Age," published by the Bureau of the Census in Statistical Abstracts of the United States 1985, p. 70. Average age as of September 1986 is 57.

STATEMENT FOR THE RECORD

BY

KENNETH T. BLAYLOCK
NATIONAL PRESIDENT
AMERICAN FEDERATION OF GOVERNMENT EMPLOYEES
(AFL-CIO)

HEARING BEFORE THE

SUBCOMMITTEE ON
CIVIL SERVICE, POST OFFICE AND GENERAL SERVICES
COMMITTEE ON GOVERNMENTAL AFFAIRS
UNITED STATES SENATE

ON

H.R.3006
PROVIDING FEDERAL CIVIL SERVICE CREDIT
FOR RETIREMENT PURPOSES
AND FOR THE PURPOSE OF
COMPUTING LENGTH OF SERVICE TO DETERMINE
CERTAIN ENTITLEMENTS FOR NATIONAL GUARD TECHNICIANS
PRIOR TO JANUARY 1, 1969

ON

SEPTEMBER 18, 1986

I am Kenneth T. Blaylock, National President of the American Federation of Government Employees (AFGE), which represents approximately 700,000 government employees.

We appreciate this opportunity to present our views on H.R.3006, introduced by Representative G.V. Montgomery (D-MS), a bill to credit certain service performed by National Guard Technicians prior to January 1, 1969, as federal employment for the purpose of civil service retirement benefits.

AFGE is proud to represent over 7,000 National Guard Technicians.

To understand the unique employment status of these civilian National Guard Technicians, it is helpful to look at the historical basis for the National Guard and its civilian technicians. Its origins stem from the Constitutional provisions pertaining to the militia. The U.S. Constitution, Article I, Section VIII, Clause 15 provides that the Congress shall have the power "[t]o provide for calling forth the militia to execute the laws of the Union, suppress insurrections and repel invasions." Clause 16 of Article I, Section VIII, enunciates the employment relationship of the members of the National Guard or the militia. It states:

> [Congress shall have the power to] provide for organizing, arming and disciplining the militia, and for governing such part of them as may be employed in the service of the United States, reserving to the States respectively the appointment of the officers, and the authority of training the militia according to the discipline prescribed by Congress.

The provision for employing civilian technicians in the National Guard was first enacted in 1916. It is now codified at 32 U.S.C. 709, and paragraph "c" of that section provides that the individual states' Adjutants General shall appoint the technicians.

It is clear from this historical background that civilian National Guard Technicians are subject to the direction and control of Congress, that they are paid from federal funds and that they perform a federal function. Why, then, haven't they been considered federal employees for retirement purposes? The answer is simple--but for their appointment. They would have been considered federal employees for purposes of participation in the civil service retirement system if they were appointed by another employee in the civil service system. But, because they were appointed by the states' Adjutants General, they were not eligible to participate in the civil service retirement system. This situation was somewhat remedied in 1968 when Public Law No. 90-486 was passed. This statute gave the National Guard Technicians the right to participate along with all other federal employees in the civil service retirement system, but only after December 31, 1968.

Those who were employed as National Guard Technicians prior to 1968 had not received any credit for their years of public service. During that time they either could not participate in any retirement plan or in some cases could participate in a state plan which often was inferior. The end result is that many of these employees are faced with the reality that they will not have adequate income to permit retirement with dignity and stability.

This is what H.R.3006 is all about. It would permit these public servants to obtain service credit for all their years of service as National Guard Technicians on the same basis as other employees obtain military service credit. That is, credit is conditional upon making the specified deposits to cover deductions which would have been made if the Guard Technicians had been full participants from their original date of appointment.

For these reasons, we believe this bill should be given serious consideration, and we urge passage.

We appreciate this opportunity to present our views on H.R.3006.

WASHINGTON OFFICE
AMERICAN LIBRARY ASSOCIATION
BOX 54 • 110 MARYLAND AVENUE, N.E. • WASHINGTON, D.C. 20002 • (202) 547-4440

October 1, 1986

The Honorable Ted Stevens
Chairman, Civil Service, Post Office
and General Services Subcommittee
Senate Committee on Governmental Affairs
601 Senate Hart Office Building
Washington, D. C. 20510

Dear Senator Stevens:

On behalf of the American Library Association (ALA), I am writing to ask that your subcommittee take prompt action on S. 1800, which would give employees with Special Services activities civil service retirement credit for their periods of employment paid from nonappropriated funds from 1952 to 1966. ALA is a nonprofit educational organization of more than 42,000 librarians, library trustees and public-spirited citizens dedicated to the development of library and information service for all the American people.

The Association appreciates your holding hearings on this bill on September 18, because S. 1800 affects the lives, and livelihood, of a relatively small group of dedicated, long-term employees, primarily women, who currently work for the government and who are close to retirement either now or in a few years. We request that this letter be made part of the hearing record.

This legislation will allow some of our members to try to qualify for retirement credit for their time spent as nonappropriated fund employees. The bill would remedy inequities which have arisen from interpretations of amendments to the Civil Service Retirement Act of 1952 which barred Special Services employees paid from nonappropriated funds credit toward civil service retirement. The 1952 amendment, which was requested by the Defense Department, was directed at short-term employees of Post Exchanges and other commercial-type activities. Professional career Special Services employees were not identified in the legislation nor were they considered. These professionals included librarians and others who worked in arts and crafts, drama, music, service clubs, youth activities, sports and recreation programs. Often these employees were switched back and forth between the nonappropriated fund and appropriated fund depending on the monies available at the time.

At the hearing on S. 1800, James W. Morrison, Jr., Associate Director for Retirement Insurance, Office of Personnel Management (OPM), opposed granting Civil Service retirement credit for the employees in question. He stated: "At the time these individuals performed the service in question, they knew it

EXECUTIVE OFFICES: 50 EAST HURON STREET, CHICAGO, ILLINOIS 60611 · (312) 944-6780

was not covered by Civil Service retirement, and we can see no reason to give them such a benefit at this point." However, we are told by a number of our members that the detrimental consequences of being paid by nonappropriated funds were not known to them until they applied for other federal positions. Our members affected by this situation tell us that when they were recruited, nothing was said or written which indicated that they would not be entitled to all the benefits enjoyed by their fellow workers.

When Senator Mathias introduced S. 1800, he said that he had tried to balance the natural concerns of OPM about the integrity of the civil service retirement fund by requiring redeposits not only from eligible applicants, but also from their employing agency. The bill gives the nonappropriated fund instrumentality by which the applicant was employed considerable control over the application process so that they will be able to weed out unwarranted or fraudulent claims. We understand that the credit toward civil service retirement would be restricted to those employees who have made a career in the federal government.

We agree that S. 1800 represents a fair solution to the problem. ALA requests your support in securing passage of this legislation.

Sincerely,

Eileen D. Cooke

Eileen D. Cooke
Director
ALA Washington Office

EDC:tj

1400 S. Joyce St. (A-713)
Arlington, VA 22202
18 September 1986

Hon. Charles McC. Matthias
Subcommittee on Civil Service, Post
Office, and General Services
U. S. Senate
Washington, DC 20510

Dear Sen. Matthias:

I am writing in reference to S-1800, one of the bills featured at this morning's Hearing. Your efforts have helped to bring the bill this far, and your interest in the plight of former non-appropriated funds employees is appreciated. I am enclosing for your consideration some material which pertains to S-1800. I would appreciate having this material made part of the record.

You have had an outstanding career as a Senator, and you will be missed -- not just by your own Maryland constituents, but also by citizens all over the USA who appreciate and admire your statesmanlike qualities. Congratulations and best wishes for your retirement.

Sincerely,

Lucile E. Beaver

Lucile E. Beaver

STATEMENT of Lucile E. Beaver
1400 S. Joyce St. (A-713)
Arlington, VA 22202

I strongly support S-1800, "The Non-Appropriated Fund Instrumentalities Act of 1985." This bill rectifies inequities suffered by non-appropriated funds employees who subsequently became employees of the federal career Civil Service system.

My acquaintance with this subject stems from my employment with Army Special Services from August 1954 to April 1963:

(1) In Germany:

  (a) Selected and sent to Europe to serve as an Army Librarian, August 1954 - May 1956

  (b) Promoted and served as Asst. Command Librarian (supervising other Army Librarians), May 1956 - March 1959

(2) In Washington, DC: Transferred to position as Civilian Recruitment Representative (recruiting, interviewing, and selecting personnel for civilian positions with Army Special Services overseas), March 1959 - April 1963.

I was employed under non-appropriated funds for the first two years of my Special Services career, August 1954 - August 1956. Consequently, my perspective towards non-appropriated funds stems from my personal experience:

o two years as a non-appropriated funds employee;

o two and one-half years as a supervisor of both appropriated funds and non-appropriated funds employees; and

o four years as a recruiter selecting personnel for both appropriated funds and non-appropriated funds positions with Army Special Services overseas.

(NOTE: In 1963 I transferred to a position with a non-defense federal agency, and I retired from the federal Civil Service in 1982. I am interested more in what S-1800 would do for current federal employees than for myself.)

I have observed that in most respects employment as a Civil Service (appropriated funds) was identical with employment under non-appropriated funds. Both appropriated funds and non-appropriated funds employees:

(1) had identical job sheets and worked side-by-side in the same facilities;

(2) had the same supervisor;

(3) received annual performance appraisals and worked in accordance with Civil Service regulations and procedures;

(4) wore Special Services uniforms, were billeted in the same US government housing, and received the same logistical services from the Army;

(5) were officially designated as US government employees. (As a non-appropriated funds employee in Europe I had an official passport bearing the notation:
  (a) "Valid only for travel . . . to Germany and necessary countries en route — on official business for the Department of the Army"; and
  (b) "This passport is valid only during the tenure of bearer's appointment as a civilian employee of the US Government.")

The one difference between appropriated funds and non-appropriated funds employees was that non-appropriated funds employees had not been certified by the Civil Service Commission. In all other respects the selection standards for non-appropriated funds Special Services employees were the highest: they had to meet stringent requirements as to education, suitability, and NACI (security check). My observations on the equivalent qualifications of non-appropriated funds and appropriated funds employees were confirmed through my experience as a member of a Civil Service Commission (CSC) panel for grading CSC Recreation Specialists. I served on that panel during my tenure as a Special Services Recruiter (1959-1963).

The Army's European command was the largest and most popular command for Special Services applicants. Most of the Special Services positions in Europe were paid by non-appropriated funds. I would estimate that more than 75% of the approximately 300 Special Services employees in Europe were employed on non-appropriated funds appointments. The Army recognized the great need for a strong welfare and morale program. Lacking sufficient appropriated-funds personnel slots to staff all Special Services positions in Europe, the Army wisely used non-appropriated funds for supplementary staffing of its Special Services facilities such as libraries, service clubs, craft shops, and other activities.

It is important to recall the "real world" of the US Army in those days when the Army was not an all-volunteer organization, and when the draft was in force. Pay and perquisites for enlisted personnel could not compete with the civilian sector. Many soldiers were in the Army through no choice of their own and at considerable hardship to themselves and their families. In that climate it was essential to have a strong Special Services program, to support the morale and welfare of the military community.

Certainly the employees who worked in Special Services activities were performing an essential function. Many of these individuals later transferred to appropriated funds positions and served the government with distinction, in a wide variety of fields. All employees going from non-appropriated funds positions to appropriated funds positions have encountered disadvantages which seem unfair:

(a) non-recognition of employment time spent as a non-appropriated funds employee, for service computation purposes; and

(b) loss of leave accrued during non-appropriated funds employment.

Consequently these government employees do not get full credit for their service to the federal government. This inequity is being addressed in S-1800. You are to be commended for considering ways to correct this unfair situation. I urge you to pass S-1800 and recognize the service of this neglected group of deserving employees.

I am requesting that this statement be made part of the Hearing record for S-1800.

Lucile E Beaver

Lucile E. Beaver
1400 S. Joyce St. (A-713)
Arlington, VA 22202 9/17/86

Attachments

List of Attachments to Statement on S-1800 (on Non-Appropriated Funds):

1. Report of Personnel Action Non-Appropriated Fund Employees (8/2/54)
2. Notification of Personnel Action (8/25/54)
3. Position Description: Librarian GS-1410-7
   (NOTE: This is the Position Description to which I was assigned as a non-appropriated funds employee. This same Position Description was used for both appropriated funds and non-appropriated funds employees.)
4. SF-50, Promotion (4-27-56)
5. SF-50, Separation (9-4-56)
   (Note Remarks: "Separation from non-appropriated funds to be appointed on same position on appropriated funds.")
6. Position Description, Supervisory Librarian GS-1410-9.
   (NOTE: This Position Description was used for both appropriated funds and non-appropriated funds employment.)
7. SF-50, Excepted Appointment (Conditional) (20 Aug 1956)
8. SF-50, Reassignment and Change Headquarters (11-23-57)
9. SF-50, Conversion to Career-Conditional Appointment (5/2/58)
10. List of Selected Articles in Newspapers, Publicizing Recruitment Drives for Army Special Services Positions.

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REPORT OF PERSONNEL ACTION
NON-APPROPRIATED FUND EMPLOYEES

1. NAME Miss Lucile E. Beaver	2. DATE OF BIRTH 2/1/26		3. DATE 8/2/54
4. NATURE OF ACTION Excepted Appointment	5. EFFECTIVE DATE 8/6/54	6. SEX F	7. S.S. NUMBER

This form notifies you of the action taken with regard to your employment. Appointments to positions are made for such period of time as the work is required and funds are available. It is an official record of your service history with the oversea command and should be retained for future reference. If you have any questions concerning this action, you may take them up with the Civilian Personnel Office.

	FROM	TO
8. POSITION TITLE		Librarian
9. SERVICE, GRADE AND SALARY		NGS-7, $4205 pa
10. ORGANIZATION UNIT		
11. COMMAND		

12. POSITION REFERENCE OR JOB DESCRIPTION MANUAL NUMBER

13. REMARKS:

Requisition Number U-53-282.
Classification grade subject to post audit and correction.
Subject to satisfactory completion of a trial period of one year.

James N. Smith

JAMES N. SMITH, Chief, Hq Opr Br
Civilian Personnel Division
Headquarters Third Army
Fort McPherson, Georgia
FOR THE APPOINTING OFFICER:

OSA FORM 173A
10 FEB 1953

D43505

②

EC—SP SERV
FORM NO. 50

HEADQUARTERS
UNITED STATES ARMY, EUROPE
SPECIAL ACTIVITIES DIVISION

NOTIFICATION OF PERSONNEL ACTION

1. Date 8-25-54

2. TO: Miss Lucile Elisabeth BEAVER (First Name / Middle Initial / Last Name) 3. S. S. NO. Applied for

4. THROUGH: Office of the Chief of Special Services (Recreation Branch) (Office in which Employed or to be Employed)

This is to notify you of the following action concerning your employment.

5. NATURE OF ACTION (Use standard terminology): EXCEPTED APPOINTMENT (CORRECTION)

6. EFFECTIVE DATE: 8-5-54

	(FROM)	(TO)
7. POSITION		Librarian
8. GRADE AND SALARY		GS-1410-7, a, $4205.00 pa
9. COMMAND & ORGANIZATION		HQ USAREUR, OCSS, APO 245
10. BRANCH		Recreation, Library Section
11. DUTY STATION & LOCATION		Northern Area Command, APO 757

13. Date of birth: 2-1-26

14. Appropriation or Fiscal Authority: USAREUR SPECIAL SERVICES FUND

15. Male ☐ Female X

16. Veteran: yes ☐ no X

17. White X Negro ☐ Other ☐

12. REMARKS

Reqn. No. U-53-282. Classification grade subject to post audit and correction. Subject to satisfactory completion of a trial period of one year.
This action corrects item 1 of Report of Personnel Action dtd 8-2-54 which read "Miss Lucile E. Beaver", and item 9 which read "HOS-7, $4205 pa", completes items 10 and 11, and adds under item 13 the following:
Employment subject to "Conditions of Employment" and regulations governing civilian personnel in the overseas command. Next of kin: Gen. Sandy Beaver, Gainesville, Georgia. Employment agreement expires: 8-21-56. Point of Hire and actual residence: Gainesville, Georgia. Date of Appointment Affidavits: SF 61, 8-23-54. Entrance Performance Rating: Satisfactory. Leave Category: 0. Subject to FICA. Authorized 45 day maximum leave accumulation.

For the Chief, Special Activities Division:

Laura Loucks
LAURA LOUCKS
DA CIV
(Rank and/or Title)
Civilian Personnel Officer

EMPLOYEE

08

Beaver

SOUTHERN AREA COMMAND (Nurnberg Office) Job # 4051

Librarian GS 1410 7

22 July 1954

JOB CONTROLS

Works under technical supervision of Command Librarian and administrative supervision of Special Services Officer. Refers major problems or suggested changes to Area/Command Librarian and proposes recommendations for solution. Must be fully qualified librarian with professional experience and training. Is permitted considerable independence in operation whithin basic framework of library procedures.

Follows Department of Army regulations, EUCOM and USAREUR directives, and local operating procedures.

MAJOR DUTIES

Serves as librarian for 2 to 3 small libraries, field libraries, residential or community libraries, or for a small hospital library and deposit collections.

1. Checks classification of books received as prepared by depot librarian for possible modification to fit local collection; assigns subject headings and cross references, based upon thorough knowledge of library collection and usage or consulting librarian at main library. May prepare information for cataloging. Revises cards made by typist and checks for accurate filing. Determines need for reclassification to accommodate a changed collection or to achieve uniform classification throughout, and constantly verifies card catalog to prevent errors and inconsistencies. Reviews proposed gift collections, accepting those books which are feasible; turns them into depot for processing or classifies and catalogs them.

2. As an extremely important job element, incumbent maintains good rapport with unit and Detachment Commanding Officers to apprise them of facilities available and to keep them informed of library endeavors in order to secure their full cooperation, interest and support. Personally receives complaints, investigating incident as required. Maintains reader contacts and interests potential readers by every possible means to induce greater use of library: reviews books; talks to different groups on full utilization of library facilities; actively participates in various clubs and organisations; plans and installs special reading projects or allied activities; promotes good reading habits among school children; writes articles and book annotations for newspapers and radio scripts; creates and distributes posters and displays; prepares music and story hours; etc.

3. Makes frequent reader surveys to ensure that collection accurately reflects needs of patrons. Selects supplementary books from available depot stock (except new books which are distributed only by depot librarian) to fulfill changing needs or tastes. Attempts to secure particular books desired for special reading projects from other libraries such as Main Library, USAREUR Reference Library, or Amerika Haus libraries. Provides readers advisory services: instructs in proper use of library;

assists readers in finding particular books desired; recommends books; answers reference questions which often involve extended searching; prepares reading lists or courses; etc.

4. Inspects shelves continually for condition of books, determines those which will be discarded or salvaged. Does minor book repair. Checks constantly for books not needed or which are not circulating, and turns them into depot. Makes regular book count inventories and semi-annual subject and author inventories. Makes recommendations for deposit collections based upon personal knowledge of unit. May be required to sign collections in and out with responsible officer.

5. Reads professional journals, catalogs, lists, etc., to learn of new books available and recommends needs to supervising librarian. Within limitations of funds available may do purchasing of books or periodicals. Exercises considerable independence in determining duplication and substitution necessary. Checks usage of periodicals and newspapers supplied by depot, and recommends additions or deletions as reflected by surveys. Studies need for changed policies or methods of operation, library hours, new activities, etc., and presents recommendations to supervising librarian.

6. Inspects library buildings and equipment for proper maintenance, and janitorial services. Recommends changes as required in libraries supervised. Submits work orders as necessary.

7. Supervises local civilian librarians. Conducts on-the-job training in proper library techniques. Assigns duties, prepares staff schedules, maintains personnel records, conducts staff meetings as required. Recommends new appointments to supervising librarian for approval.

8. Prepares various reports and correspondence and maintains files of technical material as required. Supervises expenditure of a small fund, allocated for minor items not available for issue.

Performs other duties as assigned.

OCSAD, Special Services, Recreation Branch, Library Section

- library

④

STANDARD FORM 50
REV. APRIL 1951
PROMULGATED BY
U. S. CIVIL SERVICE COMMISSION
CHAPTER R1,
FEDERAL PERSONNEL MANUAL

DEPARTMENT OF THE ARMY

NOTIFICATION OF PERSONNEL ACTION

1. NAME (MR.-MISS-MRS.-ONE GIVEN NAME, INITIAL(S), AND SURNAME): Miss Lucile Elizabeth BEAVER
2. DATE OF BIRTH: 2-1-26
3. JOURNAL OR ACTION NO.:
4. DATE: 4-27-56

This is to notify you of the following action affecting your employment:

5. NATURE OF ACTION (USE STANDARD TERMINOLOGY): PROMOTION
6. EFFECTIVE DATE: 5-6-56
7. CIVIL SERVICE OR OTHER LEGAL AUTHORITY:

FROM		TO
Librarian, 4151	8. POSITION TITLE	Superv. Librarian, 4058
GS-1410-7, $4660.00 pa	9. SERVICE, SERIES, GRADE, SALARY	GS-1410-9, $5440.00 pa
Spec Serv Sec Southern Area Command, APO 35 Ulm, Germany	10. ORGANIZATIONAL DESIGNATIONS	Spec Serv Sec Northern Area Command, APO 757 Frankfurt, Germany
USAREUR	11. HEADQUARTERS	
☒ FIELD ☐ DEPARTMENTAL	12. FIELD OR DEPT'L	☒ FIELD ☐ DEPARTMENTAL

13. VETERAN'S PREFERENCE

NONE	WWII	OTHER	5-PT.	10-POINT DISAB.	10-POINT OTHER	
						Non-Vet.

14. POSITION CLASSIFICATION ACTION

NEW	VICE	L. A.	REAL.

15. SEX: f
16. RACE: w
17. APPROPRIATION
FROM:
TO: USAREUR SPECIAL SERVICES FUND
18. SUBJECT TO C. S. RETIREMENT ACT (YES-NO): ~~NO~~ FICA
19. DATE OF APPOINTMENT AFFIDAVITS (ACCESSIONS ONLY):
20. LEGAL RESIDENCE ☐ CLAIMED ☐ PROVED
STATE:

21. REMARKS: This action is subject to all applicable laws, rules, and regulations and may be subject to investigation and approval by the United States Civil Service Commission. The action may be corrected or canceled if not in accordance with all requirements.

Classification grade subject to post audit and correction.

CURRENT PERFORMANCE RATING: Satisfactory

Margaret P. Demand
MARGARET P. DEMAND
DA Civilian
Acting Civilian Personnel Officer
FOR THE APPOINTING OFFICER: lv
22. SIGNATURE OR OTHER AUTHENTICATION

1. EMPLOYEE COPY

☆ G. P. O.: [illegible]

(4)

SOUTHERN AREA COMMAND (Nurnberg District) 4058

CSC GS-188, dtd 24 Oct 55 Ass't Com'd Librarian SACom

GS 1410 9

/s/ D. McLaughlin 24 Oct 55

JOB CONTROLS

Works under administrative and technical supervision of Command Librarian and Special Services Officer. Discusses major policy or operational problems with supervisor and proposes recommended solutions. Serves as technical consultant on library operations. Must be fully qualified librarian with extensive training and experience and demonstrated ability to administer and direct a large and diversified library program. Follows Department of the Army regulations, EUCOM and USAREUR directives.

MAJOR DUTIES

Serves as assistant to Command Librarian in administering the library program of a very large military Command, consisting of main libraries, field libraries, hospital libraries, deposit collections, and library depots.

1. Within the basic framework of operations as provided by regulations and directives, assists in establishing and maintaining processes and procedures for entire area library system. Helps to devise effective working procedures; book purchasing, classification, cataloging, reference, circulation; hours of service; inventorying; reports, records and publicity. Through regular visits and reports, analyses efficiency of libraries and service rendered. Visits units to investigate needs and from knowledge of library resources, recommends necessary program or operational adjustments. Coordinates with or for subordinates in dealing with major problems. Resolves debatable technical points raised by subordinates and controversial issues among patrons and members of the staff.

2. Interprets regulations, policies and procedures and instructs subordinates to assure uniform application.

3. Trains personnel in library policies and procedures as necessary. Conducts staff meetings. Regularly visits library installations to give advice and instructions and to check on procedures. Technically and administratively supervises several professional librarians and local civilian personnel. Reviews recommendations for appointment of local civilian personnel.

4. Advises Command Librarian of program needs regarding number, size, type and location of library installations within basic formula as prepared by USAREUR. Discusses acquisition and maintenance of library facilities with Special Services Officer and other military officials.

5. May act as supervisor for all libraries and library depot in certain detachments of the command under general supervision of a command librarian.

Performs other duties as assigned.

OCSAD, Special Services, Recreation Branch, Library Section

⑤

STANDARD FORM 50
REV. APRIL 1951
PROMULGATED BY
U. S. CIVIL SERVICE COMMISSION
CHAPTER 81, FEDERAL PERSONNEL MANUAL

DEPARTMENT OF THE ARMY

NOTIFICATION OF PERSONNEL ACTION

1. NAME (MR.-MISS-MRS.-ONE GIVEN NAME, INITIAL(S), AND SURNAME)	2. DATE OF BIRTH	3. JOURNAL OR ACTION NO.	4. DATE
Miss Lucile Elizabeth BEAVER	2-1-26		9-4-56

This is to notify you of the following action affecting your employment:

5. NATURE OF ACTION (USE STANDARD TERMINOLOGY)	6. EFFECTIVE DATE	7. CIVIL SERVICE OR OTHER LEGAL AUTHORITY
SEPARATION	8-21-56	

FROM		TO
Supervisory Librarian, 4315-S	8. POSITION TITLE	
GS-1410-9, $5440.00 pa	9. SERVICE, SERIES, GRADE, SALARY	
Special Services Section Northern Area Comd, APO 757 Frankfurt, Germany	10. ORGANIZATIONAL DESIGNATIONS	
USAREUR	11. HEADQUARTERS	
☒ FIELD ☐ DEPARTMENTAL	12. FIELD OR DEPT'L	☐ FIELD ☐ DEPARTMENTAL

13. VETERAN'S PREFERENCE

NONE	WWII	OTHER	5-PT.	10-POINT	
				DISAB.	OTHER
X					

14. POSITION CLASSIFICATION ACTION

NEW	VICE	I.A.	REAL.

15. SEX	16. RACE	17. APPROPRIATION	18. SUBJECT TO C. S. RETIREMENT ACT (YES-NO)	19. DATE OF APPOINTMENT AFFIDAVITS (ACCESSIONS ONLY)	20. LEGAL RESIDENCE
F		FROM: TO USAREUR SPECIAL SERVICES FUND	FICA		☐ CLAIMED ☐ PROVED STATE:

21. REMARKS: This action is subject to all applicable laws, rules, and regulations and may be subject to investigation and approval by the United States Civil Service Commission. The action may be corrected or canceled if not in accordance with all requirements.

Separation from nonappropriated funds position to be appointed on same position on appropriated funds.

E. E. OAKES, JR.
Major, Finance Corps
Civilian Personnel Officer

ENTRANCE PERFORMANCE RATING:

FOR THE APPOINTING OFFICER:
22. SIGNATURE OR OTHER AUTHENTICATION
bh

1. EMPLOYEE COPY

⑥

COPY

Employee Copy

61-44

Northern Area Command

7042-S

CSC class specs GS-1410-0, dtd May 1945;
and cross ref D/A standard job description, dtd Oct 1950

Supervisory Librarian

Class Act GS-1410 9

19 July 56

s/t/ ADDIE L. HOLSTER

JOB SUMMARY

Serves as Assistant Command Librarian with responsibility for the administration of all library facilities within an assigned geographical area. Territory may include one Sub-Area or a group of Sub-Areas and distance between library installations within the area may be great. Number of libraries supervised includes 20-30 with 10-15 professional librarians and 15-30 library assistants in maintaining operations. Varied operations include main library, field library, hospital library and numerous deposit collections. Collections consist of fiction, non-fiction, magazines, periodicals, histories, pamphlets of local interest, children's books, school reference materials, limited specialized references applicable to the organizations serviced, and classical music recordings. Libraries are a part of a program providing off-duty recreation, education and research facilities to troops, civilians, dependents, students and allied personnel assigned to the military establishment.

SUPERVISORY CONTROLS

Works under the administrative and technical supervision of the Command Librarian. Receives general assignments outlining policies, scope of responsibility, objectives of the program and results desired. Is guided by basic regulations of the Department of the Army, USAREUR and local command. Major problems and complex difficulties are reported and discussed with superior. Performance is evaluated on a basis of reports submitted and as a result of field visits conducted by technical specialists from higher headquarters.

Subordinate operations are subject to inspection from Inspector General, USAREUR, and local Command.

Special Services Division

s/ Dorothy G. McLaughlin s/ F. E. O'Halloran

Regulatory controls consist of Army Regulations, Special Regulations, USAREUR and local Command policies and directives, professional guides, journals, and other materials pertinent to the operation of an Army Library program.

MAJOR DUTIES

1. Plans in accordance with local circumstances and requirements execution of the library program in many libraries and deposit collections within a subordinate area of a command. By means of regularly scheduled inspection and assistance visits to the libraries and by staff meetings with field and main librarians, issues instructions, advice and assistance on all phases of the technical library functions and on administrative matters. Studies and analyzes the program to detect the necessity for improvements, revision of procedures, reassignment of personnel, need for additional facilities and/or lack of use of existing libraries or collections. Establishes processes for book purchases, classification, cataloging, reference, circulation, readers' advisory service, hours of operation, inventorying record maintenance, reporting and publicity program. Maintains coordination with various agencies to insure availability of materials which would benefit programs such as Troop Education and Information, University of Maryland, unit commanders, specialized units, Dependent Schools, etc. Takes steps to requisition and/or procure additional books, periodicals, specific reference materials when such are not immediately available to meet specialized requirements. Receives questions of a technical nature and renders advice, resolves discrepancies in library operations as they arise.

2. Interprets regulations, policies and procedures as issued by higher commands. Prepares instructions to institute such changes as required in new regulations. Modifies the procedures to meet the local requirements.

3. From review and survey of facilities determines requirements for additional libraries or deposit collections, and prepares recommendations including full justification therefor. Discusses requirements with superior. Upon approval of the installation, location, prepares plans for activation of the unit, securing the necessary furniture, supplies, equipment, books. Plans building modifications as necessary to accommodate the books and magazines. Prepares personnel requirements to supervise the function. Determines fund requirements periodically to include personnel requirements, supply needs, furniture replacements, etc., uses past experience, number of facilities, book demands of patrons. Prepares full justification for each items and amount budgeted. Discusses estimates with superiors and makes readjustments as fund availabilities require. Supervises the expenditure of local allotment of funds for small purchases of special books, periodicals, pamphlets, travel books of local interest, and miscellaneous supplies.

4. As a supervisor is responsible for the activities of the professional librarians. Trains personnel in policies and procedures on a continuing basis. Recommends personnel for promotion or demotion. Prepares evaluation appraisals of job performance. Recommends disciplinary action and meritorious recognition. Constantly reviews activities through reports to determine efficiency and adequacy.

Performs other duties as assigned

⑦

STANDARD FORM 50
REV. APRIL 1951
PROMULGATED BY
U. S. CIVIL SERVICE COMMISSION
CHAPTER R1, FEDERAL PERSONNEL MANUAL

DEPARTMENT OF THE ARMY

NOTIFICATION OF PERSONNEL ACTION

1. NAME (MR.—MISS—MRS.—ONE GIVEN NAME, INITIAL(S), AND SURNAME) Miss Lucile E. Beaver	2. DATE OF BIRTH 1 Feb 1926	3. JOURNAL OR ACTION NO.	4. DATE 20 Aug 1956

This is to notify you of the following action affecting your employment:

5. NATURE OF ACTION (USE STANDARD TERMINOLOGY) Excepted Appointment (Conditional)	6. EFFECTIVE DATE 22 Aug 1956	7. CIVIL SERVICE OR OTHER LEGAL AUTHORITY Sch A 6.105 (e) (1)

FROM		TO
	8. POSITION TITLE	Supervisory Librarian Job # 7042
	9. SERVICE, SERIES, GRADE, SALARY	GS-1410-9, $5440.00 p.a.
	10. ORGANIZATIONAL DESIGNATIONS	Northern Area Command Special Services
	11. HEADQUARTERS	Frankfurt, Germany
☐ FIELD ☐ DEPARTMENTAL	12. FIELD OR DEPT'L	☒ FIELD ☐ DEPARTMENTAL

13. VETERAN'S PREFERENCE

NONE	WWII	OTHER	5-PT.	10-POINT DISAB.	10-POINT OTHER
X					

14. POSITION CLASSIFICATION ACTION

NEW	VICE	I. A.	REAL.

15. SEX	16. RACE	17. APPROPRIATION	18. SUBJECT TO C. S. RETIREMENT ACT (YES—NO)	19. DATE OF APPOINTMENT AFFIDAVITS (ACCESSIONS ONLY)	20. LEGAL RESIDENCE
F	W	FROM 2172020 789-1011 P3521-01 TO 221-514 SEA 302202	yes	20 Aug 1956	☐ CLAIMED ☐ PROVED STATE:

21. REMARKS: This action is subject to all applicable laws, rules, and regulations and may be subject to investigation and approval by the United States Civil Service Commission. The action may be corrected or canceled if not in accordance with all requirements.
Nationality: US Citizen by birth.
Eligible for free quarters. - Local Recruit (Previously employed with NAF)
Point of hire: Frankfurt, Germany. - Actual residence: Georgia.
Leave category: " 0 " Authorized 45 day maximum annual leave accumulation.
Classification grade subject to post audit and correction.
Subject to satisfactory completion of trial period of one year.
FEGLI waived/ - Appointee's APO#: 757.
Next of kin: Gen. Sandy Beaver (father) Riverside, Gainesville, Georgia.

ENTRANCE PERFORMANCE RATING: Satisfactory

Virginia M. McDonald
VIRGINIA M. McDONALD
Chief Administration (US/AU)
FOR THE APPOINTING OFFICER:
22. SIGNATURE OR OTHER AUTHENTICATION
US ARMY, EUROPE, NACOMD, APO 757, NEW YORK

★ U. S. GOVERNMENT PRINTING OFFICE: 1954--[illegible]

1. EMPLOYEE COPY

STANDARD FORM 50
REV. APRIL 1951
PROMULGATED BY
U. S. CIVIL SERVICE COMMISSION
CHAPTER R1,
FEDERAL PERSONNEL MANUAL

Civilian Personnel Division
Southern Area Command
APO 407, US Army, New York, NY

⑧

DEPARTMENT OF THE ARMY

NOTIFICATION OF PERSONNEL ACTION

5W

1. Name (MR.—MISS—MRS.—ONE GIVEN NAME, INITIAL(S), AND SURNAME) Miss Lucile E. Beaver	2. DATE OF BIRTH 2-1-26	3. JOURNAL OR ACTION NO.	4. DATE 11-23-57

This is to notify you of the following action affecting your employment:

5. NATURE OF ACTION (USE STANDARD TERMINOLOGY) Reassignment & Change Headquarters	6. EFFECTIVE DATE 11-24-57	7. CIVIL SERVICE OR OTHER LEGAL AUTHORITY CS Reg 6.105(e)(1)

FROM		TO
Supervisory Librarian (7042s)	8. POSITION TITLE	Same
GS-1410-9, $5575 p.a.	9. SERVICE, SERIES, GRADE, SALARY	Same
Northern Area Command Special Services Division APO 757, US Army	10. ORGANIZATIONAL DESIGNATIONS	USAREUR Special Activities Division APO 757, US Army
Frankfurt, Germany	11. HEADQUARTERS	Nurnberg, Germany DUTY POST: Frankfurt, Germany
☒ FIELD ☐ DEPARTMENTAL	12. FIELD OR DEP'T'L	☒ FIELD ☐ DEPARTMENTAL

13. VETERAN'S PREFERENCE

NONE	WW II	OTHER	5-PT.	10-POINT	
				DISAB.	OTHER
X					

14. POSITION CLASSIFICATION ACTION

NEW.	VICE	I. A.	REAL.

15. SEX F	16. RACE	17. APPROPRIATION FROM 889-1011 PEA 9020-01 S91-514 TO: SMA 9020.4100 2530.1000 (BA 015)	18. SUBJECT TO C. S. RETIREMENT ACT (YES—NO) Yes	19. DATE OF APPOINTMENT AFFIDAVITS (ACCESSIONS ONLY)	20. LEGAL RESIDENCE ☐ CLAIMED ☐ PROVED STATE:

21. REMARKS: This action is subject to all applicable laws, rules, and regulations and may be subject to investigation and approval by the United States Civil Service Commission. The action may be corrected or canceled if not in accordance with all requirements.

Eligible for free quarters. U.S. Citizen. Leave category "4". Local hire. (Previously employed with NAF). FEGLI waived.

Walter Kohn, Jr.

WALTER KOHN, JR
Chief, Munich Branch
Civilian Personnel Division

ENTRANCE PERFORMANCE RATING: Satisfactory

FOR THE APPOINTING OFFICER:
22. SIGNATURE OR OTHER AUTHENTICATION

1. EMPLOYEE COPY

(9)

Standard Form 50
Rev. July 1957
Promulgated by U. S. Civil Service Commission—FPM R-1

NOTIFICATION OF PERSONNEL ACTION

gl

1. NAME (LAST [CAPS]—First—Middle—Mr.—Miss—Mrs.) BEAVER, Lucile E., Miss

2. DATE OF BIRTH 2-1-26

3. IDENTIFICATION (optional) -

4. THIS IS AN OFFICIAL NOTICE OF THE PERSONNEL ACTION DESCRIBED BELOW, WHICH AFFECTS YOUR EMPLOYMENT. GENERAL INFORMATION CONCERNING YOUR EMPLOYMENT APPEARS ON THE REVERSE SIDE OF THIS FORM.

5. NATURE OF ACTION (standard terminology must be used) Conversion to Career-Conditional Appointment

6. EFFECTIVE DATE OF ACTION 5-2-58

7. CIVIL SERVICE OR OTHER LEGAL AUTHORITY CBV-GE-89, 8 July 58
CS Reg 3.201, Sec IV, CPC 35, 1957

	FROM—		TO—
8.		POSITION TITLE AND NUMBER	Supervisory Librarian (7024s)
9.		SERIES, GRADE, SALARY	GS-1410-9, $5575 p.a.
10.		NAME AND LOCATION OF OFFICE BY WHICH EMPLOYED	USAREUR Special Activities Division APO 757, US Forces
11.		DUTY STATION	Frankfurt, Germany
12.	☐ Yes	APPORTIONED POSITION	☐ Yes ☐ Apportionment Waived STATE: ☐ Proved

13. VETERAN PREFERENCE: No X ☐ 5-pt. ☐ 10-pt. Disab. ☐ 10-pt. Other

14. TENURE GROUP

15. POSITION OCCUPIED IS IN THE: ☒ Competitive Service ☐ Excepted Service

16. APPROPRIATION
From:
To: 2530.1000 (BA 015)

17. PAYROLL DEDUCTIONS: CSR X FICA FEGLI no

18. DATE OF APPOINTMENT AFFIDAVITS (accessions only)

19. REMARKS:
☐ a. Subject to completion of 1 year probationary (or trial) period commencing
☐ b. Service counting toward career (or permanent) tenure from:
Separations: Show reasons below, as required. Check, if applicable: ☐ c. During probation ☐ d. From appointment of 6 months or less

Substantially continuous creditable service begins on: 8-22-56

Probationary peried completed.

20. EMPLOYING DEPARTMENT OR AGENCY Department of the Army

21. OFFICE MAINTAINING OFFICIAL PERSONNEL FOLDER (If different from item 10, above) Munich Sub-Area

22. SIGNATURE (or other authentication) AND TITLE
Walter Kohn Jr
For the Appointing Officer:
WALTER KOHN, JR Civ Pers Officer

23. DATE 8-1-58

[illegible]

(10)

List of Selected Articles in Newspapers, Publicizing Recruitment Drives for Army Special Services Positions. Copies of these articles can be provided.

1. "Army Hiring Women; Special Services Unit Seeks to Fill Overseas Jobs," NEW YORK TIMES, Sun., Feb. 26, 1961.

2. "Army Jobs Here Answer to a US Girl's Dream; Offers Jobs to Bay Staters," THE BOSTON DAILY GLOBE, Wed., Feb. 3, 1960.

3. "Army Seeking Graduates for Service Jobs Abroad," NEW YORK HERALD TRIBUNE, Sun., Feb. 19, 1961, p. 4.

4. "Army Special Services Offering Positions Abroad to Graduates," TRENTON EVENING TIMES, Wed., Feb. 15, 1961.

5. "Army to Seek Civilians for Overseas Duty," CHICAGO TRIBUNE, April 1, 1962.

6. "Careers Abroad for Girls," BOSTON EVENING AMERICAN, Sat., Jan. 30, 1960.

7. "An Eye on Europe," Sunday NEWS (N. Y. City), Feb. 26, 1961, p. M-2.

8. "Georgian Picks Play Leaders," THE ATLANTA JOURNAL AND CONSTITUTION, Sun., Nov. 26, 1961, p. 12-E.

9. "How to Go Traveling, Get Paid for It," SAN FRANCISCO EXAMINER, Sun., Mar. 18, 1962.

10. "If You're Interested in Travel and Romance," SAN FRANCISCO SUN. CHRONICLE, Mar. 18, 1962.

11. "Service Clubs in Drive," NEW YORK TIMES, Sun., Feb. 19, 1961.

12. "Special Services Positions Open in Europe for College Graduates," BACK STAGE (N. Y. City), Fri., Feb. 24, 1961.

13. "Special Services Recruiting: Army Needs Attractive Girls in Attractive Overseas Jobs," THE BOSTON SUN. HERALD, Feb. 7, 1960, p. 52.

14. "US Army Seeks Women to Serve in Overseas Jobs," THE CHRISTIAN SCIENCE MONITOR (Boston), Fri., Jan. 29, 1960.

15. "Want Travel? They Aren't April Fooling," LOS ANGELES HERALD-EXAMINER, Sun., April 1, 1962.

6008 Old Landing Way
Burke, VA 22015
September 18, 1986

Honorable Ted Stevens
532 Senate House Office Building
Washington, D.C. 20510-0202

Dear Senator Stevens:

As a career employee with the U.S. Government, I wish to express my thanks for your interest in Senator Mathias' bill, S1800. I deeply appreciate your finding time in a crowded docket to hold hearings on this issue which deeply affects the lives, and livelihood, of a relatively small but deserving group of dedicated, long-term employees, mostly women, who are currently working for the government and who are facing retirement either now or in a very few years. My personal experience with recruitment and hire on nonappropriated funds follows.

In March 1959 I was interviewed by a recruiter for an overseas position as administrative librarian with what was called Special Services, a morale, welfare, and recreation program for soldiers. Requirements for the job were: female, single, a Masters Degree in library science, two years of library experience, and of an age between 22 and 35 and willingness to wear a uniform.

The recruiter discussed the following: my background, the type of work, the rigors of the overseas assignments, the hours, including evening and weekend schedules, and salary. To the best of my memory, the type of funding was not mentioned. Even if it had been, it would have been meaningless to me. I emerged from a rural (farm) background, spent 14 years in night school to earn a Bachelor of Arts Degree, and an additional year and a half earning my Masters Degree, followed by two years with the Detroit Public Library. At no time was I exposed to federal employment nor to the intricacies of its funding and budgeting sources.

My application for an overseas assignment in Europe was accepted and I left the United States on my 35th birthday to work for the Army and for, I believed, the U.S. Government.

This career move was the fulfillment of a dream and the acceptance of a responsibility not realized during World War II. War broke out in December 1941, I graduated from high school in June 1942, and entered a university in September 1942. Patriotic fervor and idealism were high. I wanted to join the WACs but I was persuaded that I would be a better citizen if I stayed in school and "got an education." The situation was soon complicated by family illness. I changed to night school and went to work full time. I did not lose the desire to work for the military services nor to accept what seemed to me to be my responsibility to have contributed personally to the war effort. Therefore, the job offer to work for the Army in Europe seemed a true opportunity to ease this longstanding sense of regret.

The differences in appropriated (AF) and non-appropriated funds (NAF) and the ramifications thereof did not become clear to me until many months after I was working overseas. The full personal impact was clarified when many of us were offered an opportunity to convert to appropriated funds in 1963. Those of us who decided to make the change learned, somewhat bitterly, that we would lose our annual and sick leave accruals, and would have to start all over again as new employees. It did not seem fair that such should be the case. We had performed the same duties, worked the same, or longer, and often uncompensated hours as our peers, some of whom were paid from appropriated funds, and others who were paid from NAF. It was difficult to accept the idea that our work was not creditable, was somehow less valuable than that of our counterparts who did the same things, faced the same problems.

After nearly four years of nonappropriated fund service, I became a GS employee paid from appropriated monies. Since that time I have been continuously employed for 23 years.

While the foregoing is an account of my own experience, it replicates that of many others hired to work for Special Services during the 1950's. Senator Mathias pointed out, when he introduced this bill, that the law enacted by Congress in 1952 which exempted Special Services employees from Civil Service laws was directed toward short time employees. I know of at least one government agency that has recognized the inequities in the situation and has, in fact, given credit for NAF service and applied it to the total years worked. In that instance, NAF time is fully credited to the employee's record, and those years count toward retirement.

The Administration and Congress are encouraging early retirement. Does it not seem strange then that career employees are forced to work additional years in order to retire? I am 62, but have only 23 years of credited service. If NAF time worked by long-term civil service employees could be credited, it would permit me and those in similar situations to retire at a living wage and without extreme financial problems. On the practical side for the government, it would open the way for younger employees compensated under the new retirement program. And not least, your Committee's favorable consideration would correct a longstanding injustice.

Sincerely,

Dorothy A. Cross

Dorothy A. Cross

September 13, 1986

The Honorable Charles Mathias, Jr.
United States Senate
Washington, D.C. 20510

Reference: Senate Bill 1800 Hearing, 18 September 1986.

Dear Senator Mathias:

In December 1986, I will be retiring from GS-0188-11, Supervisor Recreation Specialist position at age 62 with only 22 years of creditable service to Civil Service retirement. In addition, I leave behind more than 1940 hours of accrued, unused sick leave.

On 18 August 1963, I was given opportunity to resign from a nonappropriated fund NGS-188-10 position to accept an appropriated fund position. On 19 August, I became a GS-0188-10 Federal Civil Service employee in the same position with the same job duties and responsibilities. (See Attachments). *

During the period from 4 August 1951 through 18 August 1963, I was employed in the same professional field with intermittent breaks in serice. (See Attachments). If my employment record appears confusing, imagine my confusion as a new government employee recruited through two year transportation agreements with the federal government. The only thing that was certain was the fact I thoroughly enjoyed seving as a Recreation Director for the U.S. Army in Europe, and I belonged to the United States government. The implications projected for retirement years were totally unknown to me. I served, and served well through progressive promotions from a GS-4 and/or NGS-4 to NGS-188-10 during the intermittent periods of time - each time leaving behind home and family to serve our American forces in Europe. The fact this service was not creditable to any retirement plan was totally out-of-touch with the progress of the Federal Civil Serice System over the years.

We have come a long way in refining the Federal Civil Service System. Employees of today have documented benefits, and individuals with a college degree entering a professional career field can begin serice at a GS-07 or GS-09 level. We were not as fortunate in commencing service in the post WWII era.

I humbly request your support in passing Senate Bill 1000 to allow us opportunity to make a redeposit plus interest to the civil service and disability fund for the uncredited time.

Request my submission be included as part of the Senate Bill 1000 hearing testimony scheduled for 18 September 1986.

Sincerely,

Jane W. Keeney

Jane W. Keeney

* Attachments are available in Committee files .

9-15-86

The Honorable Ted Stevens
United States Senate
Washington, DC 20510

Dear Senator Stevens:

This letter restates my previous request for your support of Bill S1800 in conjunction with which, hearings are scheduled to be conducted on September 18. I am included with those who will benefit if Congress supports this bill to credit as federal service, our non-appropriated fund employment with the US Army Special Services program.

When I was hired in 1964, I naturally assumed I was a government employee, and not advised of my true status until I arrived at my first duty station in Mainz, West Germany. My passport, photocopied extracts from which are included, was no-fee and indicated that I was overseas on official business for the US government.

Approval of this request will redress this inequity which has penalized Special Services employees for so many years. I believe that this is a particularly propitious time to pursue this project, since ancillary devlopments to enact a new retirement system which is more cost effective to the US taxpayer favor any method which will move the older employees on through the system and bring in new people into a less costly program.

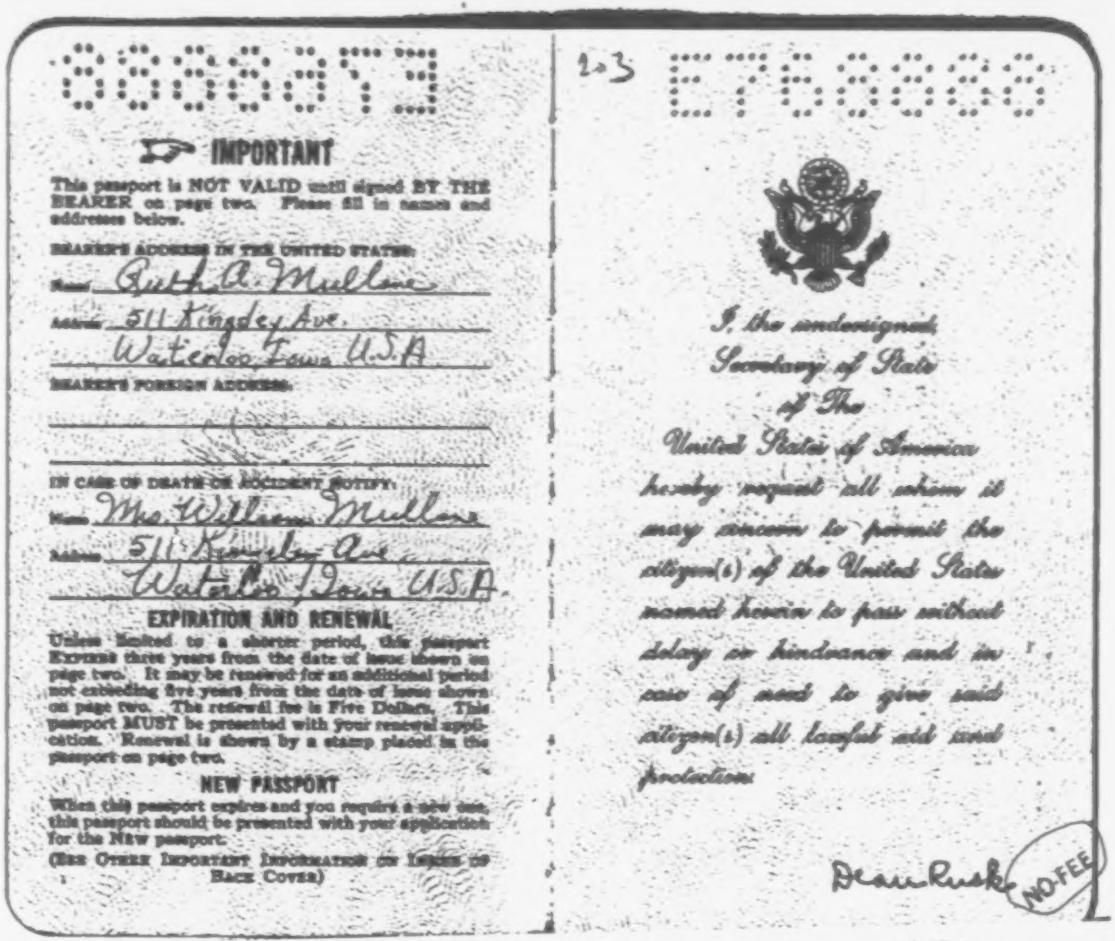
In my situation, the passage of S1800 would add two and one-half years to my federal service, enabling me to become eligible for retirement that much sooner. My retirement annuity will be considerably less than my full pay check for the same period. Additionally, I will ulitimately be replaced (unless my job is abolished, downgraded, or contracted out), by an employee under the new system.

We recognize that Congress must of necessity evaluate requests on the basis of cost to the taxpayer, but in the case of the Special Services employees, there is also the element of simple justice. I love the Army and have always found every job I ever had challenging, and professionally rewarding. For that I am most grateful. But I feel we were not recruited with the fairness the Army employs in nearly every other instance, and I hope that Congress will agree and move to rectify the situation. Other groups have, I understand gotten their service credited, thus it is only fair that the same consideration be given to US.

Your support of this legislation and its speedy passage will be greatly appreciated by the many Special Services employees who provided needed educational and recreational services to military personnel overseas. Thank you very much.

Sincerely,
Ruth Mullane
Ruth Mullane
1001 Spring St. Apt.320
Silver Spring, MD 20910

Encl



IMPORTANT

This passport is NOT VALID until signed BY THE BEARER on page two. Please fill in names and addresses below.

BEARER'S ADDRESS IN THE UNITED STATES:

Name Ruth A. Mullane

Address 511 Kingsley Ave.
Waterloo, Iowa U.S.A

BEARER'S FOREIGN ADDRESS:

IN CASE OF DEATH OR ACCIDENT NOTIFY:

Name Mrs. William Mullane

Address 511 Kingsley Ave
Waterloo, Iowa U.S.A.

EXPIRATION AND RENEWAL

Unless limited to a shorter period, this passport EXPIRES three years from the date of issue shown on page two. It may be renewed for an additional period not exceeding five years from the date of issue shown on page two. The renewal fee is Five Dollars. This passport MUST be presented with your renewal application. Renewal is shown by a stamp placed in the passport on page two.

NEW PASSPORT

When this passport expires and you require a new one, this passport should be presented with your application for the New passport.

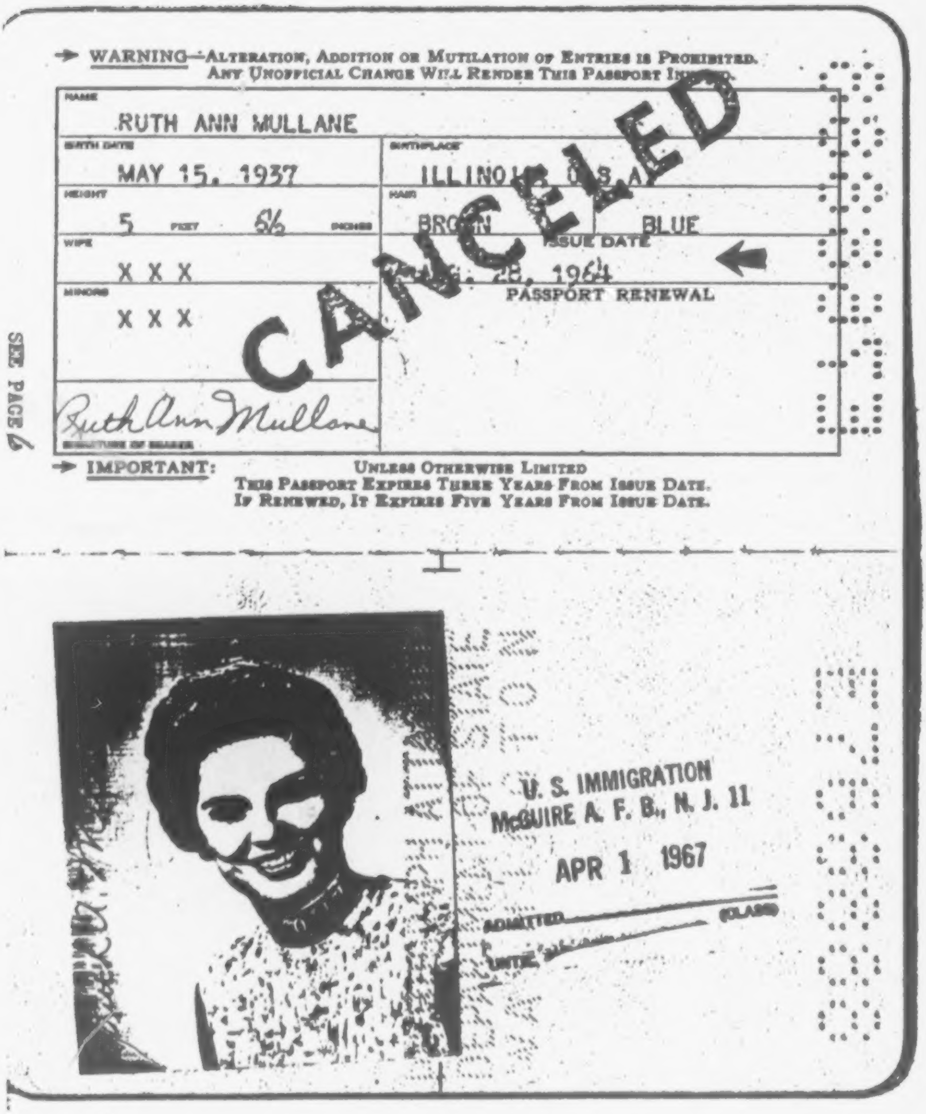
(SEE OTHER IMPORTANT INFORMATION ON INSIDE OF BACK COVER)

2-3 E768880

I, the undersigned,
Secretary of State
of The
United States of America
hereby request all whom it
may concern to permit the
citizen(s) of the United States
named herein to pass without
delay or hindrance and in
case of need to give said
citizen(s) all lawful aid and
protection.

Dean Rusk

NO FEE



SEE PAGE 6

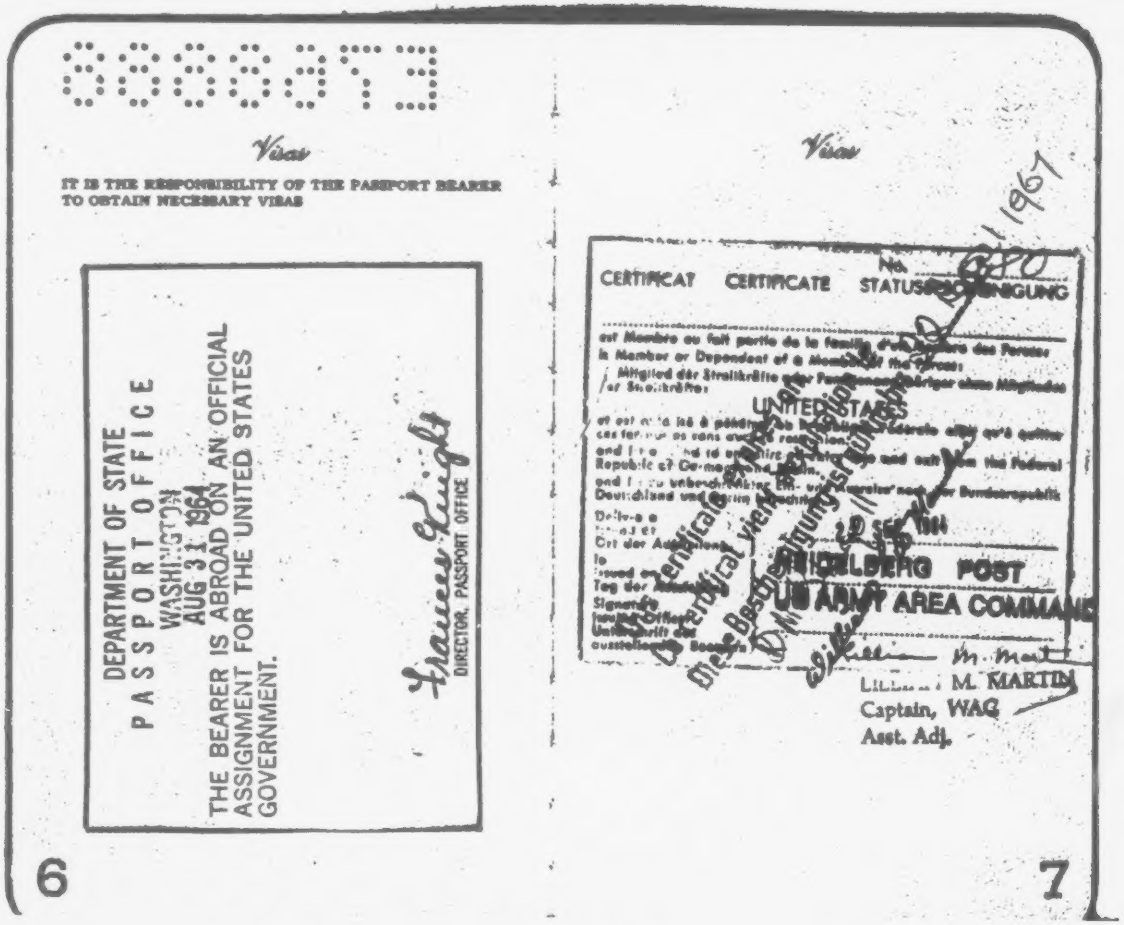
→ **WARNING**—Alteration, Addition or Mutilation of Entries is Prohibited.
Any Unofficial Change Will Render This Passport Invalid.

CANCELED

NAME RUTH ANN MULLANE	
BIRTH DATE MAY 15, 1937	BIRTHPLACE ILLINOIS, U.S.A.
HEIGHT 5 FEET 6½ INCHES	HAIR BROWN BLUE
WIFE X X X	ISSUE DATE [illegible] 28, 1964 ←
MINORS X X X	PASSPORT RENEWAL
Ruth Ann Mullane SIGNATURE OF BEARER	

→ **IMPORTANT:** Unless Otherwise Limited
This Passport Expires Three Years From Issue Date.
If Renewed, It Expires Five Years From Issue Date.

U. S. IMMIGRATION
McGUIRE A. F. B., N. J. 11
APR 1 1967
ADMITTED ______ (CLASS)
UNTIL ______



Visas

IT IS THE RESPONSIBILITY OF THE PASSPORT BEARER
TO OBTAIN NECESSARY VISAS

DEPARTMENT OF STATE
PASSPORT OFFICE
WASHINGTON
AUG 31 1964
THE BEARER IS ABROAD ON AN OFFICIAL
ASSIGNMENT FOR THE UNITED STATES
GOVERNMENT.

Frances Knight
DIRECTOR, PASSPORT OFFICE

6

Visas

1967

CERTIFICAT CERTIFICATE STATUSBESCHEINIGUNG No. 880

est Membre ou fait partie de la famille d'un Membre des Forces
is Member or Dependent of a Member of the Forces
Mitglied der Streitkräfte oder Familienangehöriger eines Mitgliedes der Streitkräfte

UNITED STATES

20 SEP 1964

HEIDELBERG POST
US ARMY AREA COMMAND

M. Martin
M. MARTIN
Captain, WAC
Asst. Adj.

7

15 September 1986

The Honorable Charles McC. Mathias, Jr.
Committee on Governmental Affairs
SR-387 Russell Senate Office Building
Washington, DC 20510

Dear Senator Mathias,

Thank you for your introduction and untiring efforts on behalf of the Senate Bill 1800, "Nonappropriated Fund Instrumentalities Employees' Civil Service Retirement Credit Act of 1985".

I understand that this bill is scheduled for hearing on 18 September 1986, and I should like to briefly outline my situation as a result of the inequities that exist and which this bill will correct when passed.

In June 1955 I went to work for the Department of the Army as a Service Club Director (now called Recreation Center Director) in Korea and was paid from Appropriated Funds. (One of the requirements for eligibility was a college degree.) After two + tours of duty in Korea I wanted to return to the United States. At that time there was no system for intertheater transfers so it was necessary for me to resign in order to return in December 1957.

I went directly to the recruitment office which was then in Washington, DC and completed a new application for an asssignment to Europe as a Recreation Center Director. Meanwhile I worked at Fort Polk, LA from May to October 1957 and was paid from Nonappropriated Funds (NAF).

In November 1957 I received a port-call and went to work for USAREUR Special Services, Europe, still as a Recreation Center Director, but paid from NA Funds with the equivalency (except for Retirement) of the General Schedule employee. At that time it was called an NGS employee, now it is called a Universal Annual employee.

In Europe I worked from 1957 until 30 December 1963 as a NAF-employed Recreation Center Director. In 1963 I was able to return to an Appropriated Funds position. I stayed with USAREUR Special Services (Recreation Services) until I was able to be placed on Priority Placement for return to CONUS, and a Recreation Center Director position at Fort Polk.

At the present time I have 25 years and 3 months of creditable work toward civil service retirement. In reality I have had no other employment since June 1955, which exceeds thirty-one years of continuous employment by the Department of the Army in various GS and NAF grades, in the 0188 series, as a Supervisory / Recreation Specialist for Special Services Division (now Morale Support Activities).

In the short time from notification until the scheduled hearing date, I was unable to find the appointment and resignation documents from 1955 to 1962; however I am enclosing a copy of the documents from 1963. The Civilian Personnel Office, NAF Branch, here at Fort Polk has requested my official NAF File for authentication of the earlier work dates.

I would like to request that this letter be included as part of the hearing testimony on 18 September 1986.

Sincerely,

Esther Sue Rice

ESTHER SUE RICE
GS-11, Chief
Recreation Center BR
Box 364
Fort Polk, LA 71459

REPORT OF PERSONNEL ACTION
NON-APPROPIATED FUND EMPLOYEES

1. NAME Miss Esther Sue RICE	2. DATE OF BIRTH 11-5-26		3. DATE 6-5-61
4. NATURE OF ACTION CONVERSION TO APPOINTMENT	5. EFFECTIVE DATE 5-28-61	6. SEX F	7. S. S. NUMBER 301-16-3184

This form notifies you of the action taken with respect to your employment. Appointments to positions are made for such period of time as the work is required and funds are available. It is an official record of your service history with the overseas command and should be retained for future reference.

	FROM	TO
8. POSITION TITLE		Rec Supv (SAS), #4653a
9. SERVICE, GRADE AND SALARY		GS-188-8, $6050.00 pa
10. ORGANIZATION UNIT		Bad Kreuznach Service Club Spec Serv Sec, APO 252 Northern Area Command
11. DUTY STATION		Bad Kreuznach, Germany

12. EMPLOYING OFFICE - CIVILIAN PERSONNEL OFFICE

Hq USAREUR, Spec Serv Div, APO 403

13. REMARKS, USAREUR SPEC SERV FUND, ECN-1166. SUBJECT TO FICA.

Substantially continuous creditable service from 5-28-58 to 5-28-61.

Margaret P. Demand
MARGARET P. DEMAND, DAC
Supv Pers Representative co

AE FORM 1 OCT 56 815-R

EMPLOYEE

REPORT OF PERSONNEL ACTION
NON-APPROPIATED FUND EMPLOYEES

1. NAME Miss Esther Sue RICE	2. DATE OF BIRTH 11-05-26		3. DATE 01-10-[illegible]
4. NATURE OF ACTION RESIGNATION	5. EFFECTIVE DATE 12-30-63	6. SEX F	7. S. S. NUMBER 301-[illegible]-[illegible]

This form notifies you of the action taken with regard to your employment. Appointments to positions are made for such period of time as the work is required and funds are available. It is an official record of your service history with the overseas command and should be retained for future reference.

	FROM	TO
8. POSITION TITLE	Rec Spec (Gen), #10844	
9. SERVICE, GRADE AND SALARY	NGS-188-9, $7125.00 pa	
10. ORGANIZATION UNIT	Sp Svcs Sec, APO 696 Southern Area Command	
11. DUTY STATION	Nuernberg, Germany	

12. EMPLOYING OFFICE: CIVILIAN PERSONNEL OFFICE

Hq USAREUR, Sp Svcs Br, P&A Div, APO 403

13. REMARKS USAREUR SP SVCS FUND, ECN-1166. SUBJECT TO FICA.

Resignation: "To accept an Appropriated Fund Position."

FOR THE APPOINTING OFFICER:

Margaret P. Demand
MARGARET P. DEMAND, DAC
Supv Pers Rep

gw

AE FORM 815-R

EMPLOYEE

7609 Fort Hunt Road
Alexandria, Virginia 22308
September 14, 1986

The Honorable Charles McC. Mathias, Jr.
United States Senate
Washington, D. C. 20510

Dear Senator Mathias:

I again want to thank you for introducing S.1800, Nonappropriated Fund Instrumentalities Civil Service Retirement Act of 1965. I am also delighted to know that hearings have been scheduled by the Civil Service, Post Office, General Services Subcommittee on your bill September 18, 1986. This letter is my testimony as I am affected by the bill. I will appreciate it being included as part of the record..

Your bill corrects a long standing injustice which dates back to the 1950's and the early 1960's. I allows long term career employees of Special Services activities to claim retirement credit for those periods of service prior to the establishment of any nonappropriated fund (NAF) retirement systems in the Defense Department.

These employees, predominately women, were denied retirement credit because they were paid from nonappropriated funds. In addition, many employees were transferred back and forth between NAF and appropriated funds in the same or a similar position. Therefore, they had a "patch work quilt" type of career, sewn together with alternating periods of creditable and non-creditable service with the government.

This difference in funds was not common knowledge in the Special Services workforce. I first learned tht I had "no prior experience with the government" when I applied for a job to open a new service club at Fort Meade, Maryland. I was stunned as I had just returned from three years in Berlin, Germany as a club director at a large service club.

In order to go to Germany, I submitted a then Standard Form 57, Application for Employment, to the Department of the Army. I was interviewed in Washington, D. C. and told I could have a civilian career with the Department of the Army. I was investigated by the Civil Service Commission, then sent to Fort Holabird in Baltimore, Maryland for a physical and the required immunizations. I was hired on a Standard Form 50, one of the three criteria to be considered a Federal employee, and was sworn in at the Corps of Engineers' Baltimore office. The Army provided a passport which states "On Official Business for the Department of the Army." I was transported to Europe on a military ship to work at an Army base with an Army officer and civilian as bosses. None of this documented informtion mattered. The source of the funds, NAF, from which I was paid was the single determining factor in not counting as "creditable time for government service."

My three years in Berlin meet the CSC/OPM requirements for creditable service with the government. I was (1) appointed to a Federal position on an SF-50, (2) had a Federal employee as a supervisor, and (3) was performing Federal duties in my job. My salary in those days was very low. I began at $3,670 and ended with $5,130. I don't believe that deposit of lump sums, plus interest, into the Civil Service Retirement Fund would be burdensome to me or the Army. It is the fair and equitable thing to do.

I am enclosing copies of my SF-50's for my years in Berlin which indicate I was a Federal employee and was under Civil Service Commission rules and regulations which included the Whitten Amendment. The first SF-50, dated august 21, 1956, shows my grade as NGS-5. The next SF-50, also dated August 21, 1956, shows a correction to GS-5. I am also enclosing pages of my passport which show that I was a civilian employee with the Department of the Army. *

Later in my career, I learned that this phenomenum of switching people back and forth between the two funds was not restricted to Europe. During my tenure as director of a service club in Yokohoma, Japan, the Army base was closed. I called Korea to see about transferring there. I was told by the Staff Service Club Director for Korea that she would put me in a club director on NAF for three months and then switch me to appropriated funds. When I refused to do this, she acquiesced. I was hired on appropriated funds for that position in the club two miles from the DMZ.

I have watched other groups get Civil Service credit over the years. Some of these groups are : beauticians at the House of Representatives Beauty Shop, Navy civilian "spies" in World War II, USIA grantee teachers at the American Binational Center, The Asia Foundation, Senate Campaign Committee employees, Armed Forces Network, Europe, Free Europe, Inc., and state employees on contract to the National Guard. I now look forward to the passage of S.1800. When enacted into law it will be compatible with the intent of the Roth "Early Out" bill. I could retire in 1988 instead of 1991.

I greatly appreciate your long time support and efforts on our behalf. Please extend my special thanks again to Eileen and Debbie for the monumental amount of work and assistance they have given us in the past three years.

Sincerely,

Sarah V. Robertson

* Attachments are available in Committee files.

12 SEP 1986

The Honorable Ted Stevens
United States Senate
Washington, D. C. 20510

Dear Senator Stevens,

Thank you for having hearings on Bill S-1800 which will rectify the inequality that affects a small group of public servants of which I am one.

My personal experience is outline below:

I was recruited in Dallas, Texas through newspaper and radio advertisements and later interviews. I accepted a position as Recreation Director NGS ($2,875) in September 1951 for a position in the European Command Special Services organization (Encl 1).

At Encl 2 please note the Form 50 changes my grade to GS-4 and still paid from EUCOM Special Services Fund. The vacillation from NGS to GS was apparently common depending on personnel offices. Usually personnel were paid from whatever funds were available. Those paid from appropriated funds had identical jobs and grades as those of us paid from nonappropriated funds.

The Federal Civil Service laws were applied to all personnel. The use of the Form 50, the terminology used in the Nature of Action, the conditions of employment etc were the same for all employees. There was nothing said or written that led me to believe that I would not be entitled to all the benefits enjoyed by my fellow workers. I was there, as they were, to serve my country in a program deemed essential to improve the quality of life for soldiers assigned in Europe after World War II. A college degree was a prerequisite.

Based on the Whiten ammendment, I received a promotion to GS-7 ($4,205) in one year (Encl 3), completed my two year employment agreement, resigned and returned to the States. (Encl 4).

Through this initial experience with government I did become a long term career Federal employee serving with Special Services both in OCONUS and CONUS. These two years of government service paid from nonappropriated funds were lost to my future government service. I continued with this organization for 30 years and retired in 1985 with a computation date of 1954 - not 1951 when I first began my service.

This is my testimony that relates to Bill S-1800 and I request that it be included as part of the record of the hearing on September 19, 1986.

Sincerely

Dorothy J Schmid

Dorothy J. Schmid
6654 Mohawk Court
Columbia, MD 21046

4 Encl
The enclosures referred to have been retained in the subcommittee files.

18 September 1986

Hon. Ted Stevens
Chairman, Subcommittee on Civil Service
United States Senate
Washington, DC 20510

Dear Senator Stevens,

Thank you for holding hearings on Senate Bill 1800 which if enacted will correct an injustice that I feel was created inadvertently by the passage of Title 5.

In 1954 I saw advertising in one of the womens magazines and wrote for more information. I was sent a packet with brochures (enclosure # 1) and signed up for two years. I soon received papers to be filled out and orders to go to the Richmond Quartermaster Station for a physical and instructions on getting my government passport.

I received orders to report to Fort Hamilton for a week of orientation followed by government passage to Germany(enclosure #2). Upon arrival at my duty station I was sworn in and processed into Federal employment (enclosure # 3), I stayed in Germany working for the Department of Defense for over 4 1/2 years and was given several Standard Form 50's (attachment # 4). The only time "Non-Appropriated Fund" was stamped on my Standard Form 50 was on my resignation form (attachment # 5).

After resigning from my position in Germany I returned to the State and obtained employment at Fort Meade, Maryland - working again for Department of the Army. You cannot emagine my outrage when I learned that those years of work in Germany did not count, because I was paid from the left pocket of Uncle Sam. I lost a grade and all my sick leave and annual leave and on my Fort Meade employment form they indicated that I HAD NO PRIOR SERVICE (attachment # 6). Fort Meade requested my records from GSA and they received a form stating " we are not furnishing the folder for Elizabeth A. Stevens since she was paid from Non-Appropriated funds and this is outlined in the Federal Personnel Manual as not creditable."

I was hired by Fort Meade to open a Service Club that was in the last phases of construction, I was to procure all the furnishings, plan and provide a full schedule of programs and prepare for the efficient running of a service club. On my Standard Form 50 appointment by Fort Meade a statement was made that "Standard Form 85 was not submitted due to break of less than 1 year" (attachment # 7).

My government used me, they took advantage of my experience when it benefitted them, but wouldn't admit I had any experience when it would have benefitted me. I was never told about AF vs NAF, my employment papers stated that I was working for the United States Army, Europe. It is deplorable that our government continues to let such inequities exist, it exists in my opinion because we are women, and we are a group that is hard to organize, today it appears that without a PAC and its money and lobbing, a group such as ours doesn't often make it.

The cost of S1800 would be very small. We estimate there would be approximately 200 currently employed, who if they could have the NAF time credited could retire. This would free up 200 jobs for new employees at much lower pay and would really result in a savings for the government. My annual pay in 1954 was $4,080 and in a 4 1/2 year period with two grade promotions rose only to a high of $5,470.(attachment # 8) The cost to DOD to pay into the retirement fund on these small amounts would be minimal.

May I take this opportunity to thank Senator Mathias and his staffers Debbie Biscieglia, Eileen Mayer and Margaret Sims for their outstanding support during the past four years. Again thank you kindly Senator Stevens for holding hearing on S1800.

Respectfully request that this letter which is my testimony that relates to Senate Bill 1800 be included as part of the record of the hearing on September 18, 1986.

Sincerely,

Elizabeth A. Stevens

Elizabeth A. Stevens
12129 Dove Circle
Laurel, MD 20708

The attachments referred to have been retained in the subcommittee files.

September 17, 1986

Dear Senator Stevens,

I was a nonappropriated funds employee of Dept. of the Army for a little over 1 year beginning in July 1962. I was not aware when I accepted this position that I was not under a retirement system of any kind. I remember my orientations in Washington DC and in Heidelburg, Germany. The emphasis in those orientations was on the very demanding nature of the job to which I was being appointed. I remember being told on several occasions that anyone who thought that they could accomplish their duties in a normal 40 hour work week simply did not understand what they had to do. I certainly found this to be the case in the course of managing three Special Services libraries one located 70 kilometers and the other 25 from my base library on an ammunition depot in eastern France. I certainly do not regret or begrudge the long hours and hard work, typical of all Army Librarians in Europe at this time. The posts on which these libraries were located were very isolated and the men who served there were very appreciative of the services and facilities provided them.

I do believe, however, that I and the other nonappropriated funds employees more than earned the consideration that we are now asking, i.e. that we be permitted to count our nonappropriated funds service toward our federal retirement. Having now been a federal employee for over 20 years I wonder how I could have been so naive as to assume that the government was providing for something so basic as retirement. That was my situation, however, and that of many others.

The support that you have extended to us in this matter is deeply appreciated.

Sincerely,

Mary B. Vick